

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1004

Short Title: Transfer Land Records Management.

(Public)

Sponsors: Representatives Redwine; Colton and N.J. Crawford.

Referred to: Judiciary II.

April 19, 1991

A BILL TO BE ENTITLED

1 AN ACT TO TRANSFER THE LAND RECORDS MANAGEMENT PROGRAM
2 FROM THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL
3 RESOURCES TO THE DEPARTMENT OF THE SECRETARY OF STATE.
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5 The General Assembly of North Carolina enacts:

6 Section 1. The statutory authority, powers, duties, and functions, records,
7 personnel, property, unexpended balances of appropriations, allocations or other funds,
8 including the functions of budgeting and purchasing, of the Department of
9 Environment, Health, and Natural Resources to conduct the land records management
10 program, as provided by G.S. 143-345.6, is transferred to the Department of the
11 Secretary of State.

12 Sec. 2. G.S. 143-345.6 is recodified as G.S. 147-54.3.

13 Sec. 3. G.S. 143-345.6, as recodified as G.S. 147-345.6 by Section 2 of this
14 act, reads as rewritten:

15 "**§ 147-54.3. Land records management program.**

16 (a) ~~The Department of Environment, Health, and Natural Resources~~ Secretary of
17 State shall administer a land records management program for the purposes (i) of
18 advising registers of deeds, local tax officials, and local planning officials about sound
19 management practices, and (ii) of establishing greater uniformity in local land records
20 systems. The management program shall consist of the activities provided for in
21 subsections (b) through (e) of this section, and other related activities essential to the
22 effective conduct of the management program.

23 (b) ~~The Department of Environment, Health, and Natural Resources~~ Secretary of
24 State, in cooperation with the Secretary of Cultural Resources and in accordance with

1 G.S. 121-5(c) and G.S. 132-8.1, shall establish minimum standards and provide advice
2 and technical assistance to local governments in implementing and maintaining
3 minimum standards with regard to the following aspects of land records management:

- 4 (1) Uniform indexing of land records;
- 5 (2) Uniform recording and indexing procedures for maps, plats and
6 condominiums; and
- 7 (3) Security and reproduction of land records.

8 (c) ~~The Department of Environment, Health, and Natural Resources~~ Secretary of
9 State shall conduct a program for the preparation of county base maps pursuant to
10 standards prepared by ~~that Department~~ the Secretary.

11 (c1) ~~The Department of Environment, Health, and Natural Resources~~ Secretary of
12 State shall, in cooperation with the Secretary of Revenue, conduct a program for the
13 preparation of county cadastral maps pursuant to standards prepared by the ~~Department~~
14 ~~of Environment, Health, and Natural Resources~~ Secretary of State.

15 (d) Upon the joint request of any board of county commissioners and the register
16 of deeds and subject to available resources of personnel and funds, the Secretary shall
17 make a management study of the office of register of deeds, using assistance from the
18 Office of State Personnel. At the conclusion of the study, the Secretary shall make
19 nonbinding recommendations to the board, the register of deeds, and to the General
20 Assembly.

21 (d1) ~~The Department of Environment, Health, and Natural Resources~~ Secretary of
22 State shall make comparative salary studies periodically of all registers of deeds offices
23 and at the conclusion of each study the Secretary of ~~Environment, Health, and Natural~~
24 ~~Resources~~ State shall present his written findings and shall make recommendations to
25 the board of county commissioners and register of deeds of each county.

26 (e) ~~The Department of Environment, Health, and Natural Resources~~ Secretary of
27 State, in cooperation with the Secretary of Cultural Resources and in accordance with
28 G.S. 121-5(c) and G.S. 132-8.1, shall undertake research and provide advice and
29 technical assistance to local governments on the following aspects of land records
30 management:

- 31 (1) Centralized recording systems;
- 32 (2) Filming, filing, and recording techniques and equipment;
- 33 (3) Computerized land records systems; and
- 34 (4) Storage and retrieval of land records.

35 (f) An advisory committee on land records is created to assist the Secretary in
36 administering the land records management program. The Governor shall appoint 12
37 members to the committee; one member shall be appointed from each of the
38 organizations listed below from persons nominated by the organization:

- 39 (1) The North Carolina Association of Assessing Officers;
- 40 (2) The North Carolina Section of the American Society of
41 Photogrammetry;
- 42 (3) The North Carolina Chapter of the American Institute of Planners;
- 43 (4) The North Carolina Section of the American Society of Civil
44 Engineers;

- 1 (5) The North Carolina Tax Collectors' Association;
- 2 (6) The North Carolina Association of Registers of Deeds;
- 3 (7) The North Carolina Bar Association;
- 4 (8) The North Carolina Society of Land Surveyors; and
- 5 (9) The North Carolina Association of County Commissioners.

6 In addition, three members from the public at large shall be appointed. The members of
7 the committee shall be appointed for four-year terms, except that the initial terms for
8 members listed in positions (1) through (4) above and for two of the members-at-large
9 shall be two years; thereafter all appointments shall be for four years. The Governor
10 shall appoint the chairman, and the committee shall meet at the call of the chairman.
11 The Governor in making the appointments shall try to achieve geographical and
12 population balance on the advisory committee; one third of the appointments shall be
13 persons from the most populous counties in the State containing approximately one
14 third of the State's population, one third from the least populous counties containing
15 approximately one third of the State's population, and one third shall be from the
16 remaining moderately populous counties containing approximately one third of the
17 State's population. Each organization shall nominate one nominee each from the more
18 populous, moderately populous, and less populous counties of the State. The members
19 of the committee shall receive per diem and subsistence and travel allowances as
20 provided in G.S. 138-5."

21 Sec. 4. This act is effective upon ratification.