

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 338
SENATE BILL 685

AN ACT TO ALLOW THE CITY OF DURHAM TO REQUIRE CERTAIN
ACTIONS OF ITS TRANSPORTATION AUTHORITY TO BE BY
SUPERMAJORITY.

The General Assembly of North Carolina enacts:

Section 1. Section 109.1 of the Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, as added by Chapter 560 of the 1991 Session Laws, reads as rewritten:

"Sec. 109.1. **Public Transportation Authority.** In establishing a Public Transportation Authority pursuant to the North Carolina Public Transportation Authority Act, Article 25 of Chapter 160A of the General Statutes, the City Council may:

- (1) ~~Require~~ Except as provided by subdivision (1a) of this section, require that a majority vote of all of the members of the Authority shall be required to constitute action of the Authority;
- (1a) Require a supermajority vote of all the members of the Authority in order to take certain actions prescribed by the City Council, including, but not limited to, hiring and firing personnel and changing bus routes;
- (2) Provide that no member of the Authority shall be excused from voting except on matters involving consideration of the member's own official conduct, or where the member's financial interests are involved, and that in all other cases, a failure to vote by a member who is physically present at an Authority meeting, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote; and
- (3) Appoint and provide compensation for alternate members to serve on the Authority in the absence of any regular member and to prescribe the terms of such alternate members. Each alternate member, so appointed, while attending any meeting of the Authority and serving in the absence of any regular member, shall have and exercise all the powers and duties of a regular member."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 28th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives