

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

1

HOUSE BILL 748

Short Title: Highway Utility Nonbetterment Cost.

(Public)

Sponsors: Representative Goodwin.

Referred to: Transportation.

March 31, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NONBETTERMENT COSTS OF UTILITY RELOCATIONS IN CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-27.1 reads as rewritten:

"§ 136-27.1. Relocation of water and sewer lines of municipalities and nonprofit water or sewer corporations or associations.

The Department of Transportation shall pay the nonbetterment cost for the relocation of water and sewer lines, located within the existing State highway right-of-way, that are necessary to be relocated for a State highway improvement project and that are owned by: any of the following:

(1) ~~(i) a~~ Owned by a municipality with a population of 5,500 or less according to the latest decennial ~~census;~~ (ii) census.

(2) ~~a~~ Owned by a nonprofit water or sewer association or ~~corporation;~~ (iii) corporation.

(3) ~~any~~ Owned by any water or sewer system organized pursuant to Chapter 162A of the General ~~Statutes;~~ (iv) Statutes.

(4) ~~a~~ Owned by a rural water system operated by county as an enterprise ~~system;~~ (v) system.

- 1           (5) ~~any~~ Owned by any sanitary district organized pursuant to Part 2 of  
2           Article 2 of Chapter 130A of the General Statutes; ~~or (vi) Statutes.~~  
3           (6) ~~constructed~~ Constructed by a water or sewer system organized pursuant  
4           to Chapter 162A of the General Statutes and then sold or transferred to a  
5           municipality with a population of greater than 5,500 according to the  
6           latest decennial census.  
7           (7) Owned by any municipality with a population of 20,000 or less  
8           according to the latest decennial census when all of the following  
9           conditions apply:  
10          a.     The lines are located in the right-of-way of an existing or  
11                proposed federal primary or interstate highway.  
12          b.     The municipality operates its water or sewer system as an  
13                enterprise system and has not used any of the proceeds from its  
14                water or sewer enterprise fund for any purposes other than water  
15                or sewer purposes during the previous five years."

16           Section 2. This act is effective when it becomes law.