

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SENATE BILL 350
RATIFIED BILL**

AN ACT AFFECTING THE REGULATION OF ABANDONED OR JUNKED MOTOR VEHICLES IN THE MUNICIPALITIES OF AHOSKIE, CRAMERTON, FARMVILLE, AND LAGRANGE; TO PROVIDE THAT HIGH POINT CITY ELECTIONS SHALL BE HELD IN THE EVEN-NUMBERED YEARS AND DECIDED ON A PLURALITY BASIS; TO AMEND THE CHARTER OF THE TOWN OF MCFARLAN TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND BOARD OF COMMISSIONERS; TO CONFIRM THE APPLICABILITY OF A 1961 LOCAL ACT TO ELECTIONS FOR THE BERTIE COUNTY BOARD OF EDUCATION AS HAS BEEN THE PROCEDURE FOLLOWED BY THE BOARD AND ELECTION OFFICIALS; TO REPEAL A LIMIT ON THE NUMBER OF TERMS A MEMBER OF THE SCOTLAND COUNTY BOARD OF EDUCATION MAY SERVE; TO ALLOW THE SANFORD-LEE COUNTY AIRPORT AUTHORITY TO ADD AN ADDITIONAL MEMBER THAT IS AN EX OFFICIO VOTING MEMBER; PROVIDING THAT THE TOWNS OF MARSHVILLE AND WINGATE MAY EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING ONE MILE FROM THEIR RESPECTIVE LIMITS WITHOUT THE APPROVAL OF THE UNION COUNTY BOARD OF COMMISSIONERS AND PROVIDING FOR A DELAY OF THE MONROE CITY REFERENDUM AUTHORIZED BY S.L. 2005-261; AND TO EXEMPT THE TOWN OF BLOWING ROCK FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 3 of S.L. 2005-10 as rewritten by S.L. 2006-15 reads as rewritten:

"**SECTION 3.** Section 1 of this act applies only to the City of Henderson and the Towns of Ahoskie, Cramerton, Farmville, LaGrange, Matthews, Mint Hill, and Louisburg. Section 2 of this act applies only to the Towns of Ahoskie, Cramerton, Farmville, LaGrange, Mint Hill and Louisburg."

SECTION 2.(a) Section 3.1 of the Charter of the City of High Point, being Chapter 501 of the 1979 Session Laws, as amended by Ordinance Number 86-7 under Part 4 of Article 5 of Chapter 160A of the General Statutes, reads as rewritten:

"Sec. 3.1. Method of election. Regular municipal elections shall be held in the city biennially in ~~odd-numbered~~ even-numbered years, and shall be conducted in accordance with state law governing municipal elections. The mayor and members of the council shall be elected by the ~~nonpartisan primary and election method provided for in G.S. 163-294.~~ nonpartisan plurality election method provided for in G.S. 163-292."

SECTION 2.(b) No regular election shall be conducted in the City of High Point in 2007, and the terms of the mayor and council members elected in 2005 are extended until the organizational meeting after the 2008 regular municipal election held in accordance with Section 2(a) of this act.

SECTION 3. Section 4 of the Charter of the Town of McFarlan, being Chapter 102, Private Laws of 1885, as rewritten by Section 4 of Chapter 771 of the Session Laws of 1947, reads as rewritten:

"Sec. 4. That hereafter the officers of said town shall consist of a mayor and five commissioners, and an election for said officers shall be held ~~on the first Tuesday after the first Monday in May, 1947, and biennially in 2007 and quadrennially thereafter,~~ and shall be conducted in accordance with the general municipal election laws as set out in ~~Article 3 of Chapter 160 Chapter 163~~ of the General Statutes of North Carolina. Those elected in 2007 and thereafter shall serve four-year terms."

SECTION 5.(a) Except as modified by this act, pursuant to Article 5 of Chapter 115C of the General Statutes, the Bertie County Board of Education consists of five members elected in nonpartisan elections in even-numbered years. As provided in Chapter 764 of the Session Laws of 1961, and as has been the practice since that time, elections shall be by residency districts. That is, candidates for each of the five seats, and board members elected to those seats, shall reside in particular districts, but all seats shall be voted upon by all eligible voters in the county. The five districts are:

- District 1 – Windsor Township.
- District 2 – Merry Hill and Whites Townships.
- District 3 – Colerain and Mitchell Townships.
- District 4 – Roxabel and Woodville Townships.
- District 5 – Snakebite and Indian Woods Townships.

SECTION 5.(b) As provided in Section 3 of Chapter 764 of the Session Laws of 1961, and as has been the practice since that time, board members shall serve staggered, four-year terms. The board members representing Districts 2, 3, and 4 shall be elected in 2006 and every four years thereafter. The board members representing Districts 1 and 5 shall be elected in 2008 and every four years thereafter.

SECTION 5.(c) Except as provided in this section, members of the Bertie County Board of Education shall be elected according to general State law.

SECTION 5.(d) This section is intended to codify and confirm the election method that has been in place since 1961.

SECTION 5.(e) Elections conducted before the effective date of this section using residency districts and staggered terms for election of members of the Bertie County Board of Education are ratified and shall be considered lawful.

SECTION 6. Section 4(e) of Chapter 707 of the Session Laws of 1963, as rewritten by Chapter 306 of the 1973 Session Laws, is repealed.

SECTION 7.(a) Section 1 of Chapter 903 of the 1991 Session Laws reads as rewritten:

"Section 1. There is hereby created an airport authority to be known as the "Sanford-Lee County Regional Airport Authority" which shall be a body politic and corporate. The said authority shall be composed of ~~six members, three~~seven members: two appointed by the Board of Commissioners ~~for of~~ the County of Lee ~~and three~~Lee, two by the ~~Board of Aldermen~~City Council of the City of Sanford~~Sanford~~; and three ex officio voting members: the Sanford City Manager, the Lee County Manager, and the Lee County Economic Development Director. The said members shall be allowed a reasonable compensation as determined by the joint action of the ~~Board of Aldermen~~City Council of the City of Sanford and the Board of Commissioners for the County of Lee, and shall be paid actual expenses incurred in the transaction of business at the instance of the authority; provided, however, that no full-time employee of the city or county, or an elected member of either the ~~Board of Aldermen~~City Council of the City of Sanford or the ~~board~~Board of Commissioners of the County of Lee shall be paid for his or her services in connection with said authority, but shall be entitled only to reimbursement of actual expenses."

SECTION 7.(b) This section becomes effective July 1, 2006.

SECTION 8.(a) G.S. 160A-360(e) is repealed.

SECTION 8.(b) This section applies to the Towns of Marshville and Wingate only.

SECTION 8.(c) No town exercising extraterritorial jurisdiction under this section may do so without 180 days notification to the board of county commissioners

of the county in which the town lies, unless that board of county commissioners agrees to an earlier date.

SECTION 9. Section 1(a) of S.L. 2005-261 reads as rewritten:

"SECTION 1.(a) Authority; Vote. – If the majority of those voting on the question pursuant to this section vote for the levy of the tax, the Monroe City Council may, by ordinance, levy a prepared food and beverages tax of up to one percent (1%) of the sales price of prepared food and beverages sold within the City of Monroe at retail for consumption on or off the premises by a retailer subject to sales tax under G.S. 105-164(a)(1). This tax is in addition to State and local sales tax.

The Monroe City Council may direct the county board of elections to submit to the qualified voters of the city during any election held in 2006 or 2007 the question of whether to levy a local prepared food and beverages tax of one percent (1%) as provided in this section. The election must be held on a date jointly agreed upon by the board of elections and city council and held in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

[] For [] Against

One percent (1%) local prepared food and beverages tax, in addition to the current local sales and use taxes, to be used for the Civic Center Project for the City of Monroe.' "

SECTION 10. Notwithstanding G.S. 143-128, 143-129, and 143-132, the Town of Blowing Rock may use the design-build method of construction for the public parking facility that shall be located adjacent to the proposed Blowing Rock Art & History Museum on a lot bounded by Main Street, Chestnut Street, and Wallingford Street in downtown Blowing Rock. Notwithstanding any provision of law, the Town of Blowing Rock may award the contract in its sole discretion.

SECTION 11. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 27th day of July, 2006.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives