

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

4

SENATE BILL 656
Second Edition Engrossed 4/18/89
House Committee Substitute Favorable 7/28/89
House Committee Substitute #2 Favorable 7/31/89

Short Title: Supplemental Tax/Merged School Dist.

(Public)

Sponsors:

Referred to:

March 27, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT UPON MERGER OF TWO SCHOOL
2 ADMINISTRATIVE UNITS WITHIN CERTAIN COUNTIES WHEREIN ONE
3 OF THE MERGING UNITS HAS VOTED A SUPPLEMENTAL SCHOOL TAX,
4 THE GEOGRAPHIC AREA SUBJECT TO THE TAX SHALL BE EXPANDED
5 WITHOUT VOTER APPROVAL TO INCLUDE THE ENTIRE GEOGRAPHIC
6 AREA ENCOMPASSED BY THE NEW SCHOOL ADMINISTRATIVE UNIT
7 RESULTING FROM THE MERGER; AND, IF THE STATESVILLE CITY
8 SCHOOL ADMINISTRATIVE UNIT IS MERGED WITH THE IREDELL
9 COUNTY SCHOOL ADMINISTRATIVE UNIT, TO MAKE A CONFORMING
10 CHANGE TO THE DISTRIBUTION OF LIQUOR STORE PROFITS OF THE
11 STATESVILLE ABC SYSTEM.
12

13 The General Assembly of North Carolina enacts:

14 Section 1. Chapter 115C of the General Statutes is amended by adding a new
15 section to read:

16 "**§ 115C-512. Expansion of existing supplemental school tax area pursuant to**
17 **merger of school administrative units in certain counties.**

18 (a) This section shall apply to counties that have three school administrative units
19 located entirely within the county, only one of which units has a supplemental school
20 tax in effect that is levied exclusively by the elected school board of the administrative
21 unit.

1 (b) If a school administrative unit in a county to which this section applies
2 merges with another school administrative unit in the county, and one of the merging
3 units has previously voted a supplemental school tax that is in effect prior to and at the
4 time of the merger, then the geographic area subject to the supplemental school tax in
5 effect prior to the merger shall be expanded to include the entire geographic area
6 encompassed by the new school administrative unit resulting from the merger. The levy
7 and collection of and the expenditure of revenues from the tax shall be expanded as
8 herein provided without approval of the voters of the geographic area directly affected
9 by the merger, and shall be used for purposes provided in G.S. 115C-501(a).

10 (c) Notwithstanding levying authority in existence prior to the merger, the board
11 of county commissioners shall, upon merger of the administrative units, have the
12 exclusive authority to levy the supplemental tax expanded in accordance with this
13 section, provided that the tax shall be levied at a rate not to exceed the rate of the
14 supplemental school tax in effect prior to the merger of the school administrative units."

15 Sec. 2. If the Statesville City Board of Education is merged with the Iredell
16 County Board of Education, then effective for any distributions made after the effective
17 date of the merger, Section 6.3(2) of the Charter of the City of Statesville, being Chapter
18 289 of the 1977 Session Laws, reads as rewritten:

19 "(2) Twenty-five percent (25%) shall be turned over to the ~~Board of~~
20 ~~Education of the City of Statesville~~ Iredell County Board of Education."

21 Sec. 3. To facilitate the transfer of students among the local school
22 administrative units in Iredell County, the following factors shall, in addition to other
23 considerations, be the measure of a child's attendance in a particular school in a
24 particular administrative unit:

- 25 (1) Distance from school,
- 26 (2) Time spent on school buses,
- 27 (3) Availability of programs or the lack of programs,
- 28 (4) Whether other members of the same family are attending the school in
29 question and whether the school to which transfer is sought can
30 accommodate additional students, and
- 31 (5) Distance to school which interferes with the student's participation in
32 extracurricular activities.

33 The best interest of the student shall be paramount among all factors and
34 considerations regarding student transfers.

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