

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 208
Committee Substitute Favorable 3/23/95

Short Title: Jackson/Madison School Acquisition.

(Local)

Sponsors:

Referred to:

February 16, 1995

A BILL TO BE ENTITLED

AN ACT TO ALLOW JACKSON AND MADISON COUNTIES TO ACQUIRE
PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. (a) G.S. 153A-157 reads as rewritten:

"§ 153A-157. Power to acquire property in certain counties.

(a) A county may acquire, by gift, grant, devise, bequest, exchange, purchase, lease, or any other lawful method, the fee or any other lesser interest in real or personal property for use by the county or any department, board, commission, or agency of the county or a school administrative unit within the county. In exercising the power of eminent domain a county shall use the procedures of Chapter 40A.

The county shall use its authority under this section to acquire the fee or any lesser interest in real or personal property for use by a school administrative unit within the county only upon the request of the board of education of that school administrative unit and after a public hearing.

(b) This section applies to Ashe, Avery, Bladen, Brunswick, Cabarrus, Carteret, Chowan, Columbus, Duplin, Forsyth, Franklin, Harnett, Haywood, Iredell, Jackson, Johnston, Lee, Macon, Madison, Nash, Orange, Pasquotank, Pender, Richmond, Rowan, Sampson, and Stanly Counties."

1 (b) G.S. 153A-158.1 reads as rewritten:

2 **"§ 153A-158.1. School property in certain counties; construction and other**
3 **improvements; transfers.**

4 (a) Reserved for future codification.

5 (b) A county may construct, equip, expand, improve, renovate, or otherwise make
6 available property for use by a school administrative unit within the county. This
7 subsection applies only to Ashe, Avery, Brunswick, Chowan, Forsyth, Harnett,
8 Haywood, Jackson, Lee, Macon, Madison, Nash, Orange, Pasquotank, Richmond, and
9 Sampson Counties and to local boards of education for school administrative units in or
10 for Ashe, Avery, Brunswick, Chowan, Forsyth, Harnett, Haywood, Jackson, Lee, Macon,
11 Madison, Nash, Orange, and Pasquotank Counties.

12 (c) Notwithstanding the provisions of G.S. 115C-518 and G.S. 160A-274, a local
13 board of education may lease or sell any of its property to the board of commissioners of
14 the county in which the property is located for any price negotiated between the two
15 boards. This subsection applies only to Ashe, Avery, Brunswick, Cabarrus, Carteret,
16 Chowan, Duplin, Forsyth, Harnett, Haywood, Iredell, Jackson, Lee, Macon, Madison,
17 Nash, Orange, Pasquotank, Rowan, Sampson, and ~~Stanley~~-Stanly Counties and to local
18 boards of education for school administrative units in or for these counties. This
19 subsection applies only to sales and leases of property in connection with additions,
20 improvements, renovations, or repairs to the property or to some part of the property.

21 (d) Notwithstanding the provisions of G.S. 115C-40 and G.S. 115C-521, local
22 boards of education are authorized to enter into contracts for the erection or repair of
23 school buildings upon sites owned in fee simple by one or more counties in which the
24 local school administrative units are located. This subsection applies only to Ashe,
25 Avery, Brunswick, Chowan, Forsyth, Harnett, Jackson, Lee, Madison, Nash, Orange,
26 Pasquotank, and Sampson Counties and to local boards of education for school
27 administrative units in or for those counties."

28 Sec. 2. G.S. 153A-158.1(e), as amended by Senate Bill 104, 1995 General
29 Assembly, reads as rewritten:

30 "(e) Scope. – This section applies to Ashe, Avery, Bladen, Brunswick, Cabarrus,
31 Carteret, Chowan, Columbus, Duplin, Forsyth, Franklin, Harnett, Haywood, Iredell,
32 Jackson, Johnston, Lee, Macon, Madison, Nash, Orange, Pasquotank, Pender, Richmond,
33 Rowan, Sampson, Stanly, and Watauga Counties."

34 Sec. 3. Section 1 of this act is effective upon ratification and expires on the
35 effective date of the amendments to G.S. 153A-158.1 enacted by Senate Bill 104, 1995
36 General Assembly. Section 2 of this act is effective on the effective date of the
37 amendments to G.S. 153A-158.1 enacted by Senate Bill 104, 1995 General Assembly.
38 The remainder of this act is effective upon ratification.