

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 746
HOUSE BILL 696

1 AN ACT TO AMEND CHAPTER 139 OF THE GENERAL STATUTES RELATING TO
2 SOIL CONSERVATION DISTRICTS, WATERSHED IMPROVEMENT DISTRICTS,
3 AND WATERSHED IMPROVEMENT PROGRAMS, SO AS TO CHANGE THE NAME
4 OF SUCH DISTRICTS, CHANGE THE MEMBERSHIP OF THE SOIL AND WATER
5 CONSERVATION COMMITTEE, AND CLARIFY VARIOUS PROVISIONS OF SAID
6 CHAPTER.

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8 The General Assembly of North Carolina do enact:
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10 **Section 1.** The General Statutes of North Carolina are hereby amended by striking
11 out the words "soil conservation district" wherever they appear in Chapter 139 and any other
12 place in the General Statutes, and inserting in lieu thereof in each instance the words "soil and
13 water conservation district"; and by striking out the words "State Soil Conservation
14 Committee" wherever they appear in Chapter 139 and at any other place in the General
15 Statutes, and inserting in lieu thereof in each instance the words "State Soil and Water
16 Conservation Committee."

17 **Sec. 2.** Subsection (a) of G.S. 139-4 is hereby amended by deleting the third and
18 fourth sentences thereof and by inserting in lieu thereof the following:

19 "Three members shall consist each year of the President, first Vice President and the
20 immediate past President of the North Carolina Association of Soil Conservation Districts.
21 Vacancies arising in any of these three positions shall be filled through appointment by the
22 executive committee of the North Carolina Association of Soil Conservation Districts. An
23 additional member shall be designated by the State Soil Conservation Committee for a term of
24 two years; appointment to be made by calendar years beginning January 1. No person so
25 designated by the Committee may be appointed for more than two successive terms. The
26 Committee shall invite the North Carolina State Conservationist, Soil Conservation Service, to
27 serve as an advisory nonvoting member of the Committee."

28 **Sec. 3.** G.S. 139-17, as the same presently appears in the 1959 Cumulative
29 Supplement to Volume 3B of the General Statutes, is hereby amended by rewriting
30 subparagraph (3) of said Section to read as follows:

31 "(3) A description of the area proposed to be organized as a watershed
32 improvement district, and the names and addresses of those landowners
33 therein who are known to petitioners. The description shall be sufficient if
34 the boundaries of the land are described in such a way as to convey an
35 intelligent understanding of the location of the land. In the discretion of the
36 petitioners, the boundaries may be described by any of the following
37 methods or any combination thereof: by reference to a map; by metes and
38 bounds; by general description referring to natural boundaries, or to
39 boundaries of existing political subdivisions or municipalities, or to
40 boundaries of particular tracts or parcels of land;"

41 **Sec. 4.** Subsection (m) of G.S. 139-18, as the same presently appears in the 1959
42 Cumulative Supplement to Volume 3B of the General Statutes, is hereby amended by inserting
43 therein immediately preceding the last sentence thereof the following:

1 "The boundary definition contained in said order shall be sufficient if the boundaries of the
2 land are described in such a way as to convey an intelligent understanding of the location of the
3 land, and said boundaries may be defined by any of the methods permitted in G.S. 139-17(3)
4 for description of boundaries. If the final order makes no change in the area proposed to be
5 organized in the petition, a reference to a map or description of said area contained in the
6 petition shall be a sufficient boundary definition for purposes of the order."

7 **Sec. 5.** Article 2 of Chapter 139 is hereby amended by adding immediately after
8 Section 139-19, as the same presently appears in the 1959 Cumulative Supplement to Volume
9 3B of the General Statutes, a new Section to be designated Section 139-19.1 and to read as
10 follows:

11 "**G.S. 139-19.1. Supervisors of multi-county soil conservation district may delegate**
12 **powers.** The supervisors of any multi-county soil conservation district may delegate to a
13 county soil conservation committee of the district any of their powers, duties or functions
14 respecting any watershed improvement district or proposed watershed improvement district
15 lying wholly within the boundaries of the county represented by said committee."

16 **Sec. 6.** All laws and clauses of laws in conflict with the provisions of this Act are
17 hereby repealed.

18 **Sec. 7.** This Act shall be in full force and effect from and after its ratification.

19 In the General Assembly read three times and ratified, this the 13th day of June,
20 1961.