

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 111

Short Title: Highway Participation Sunset Off.

(Public)

Sponsors: Representative R. Hunter.

Referred to: Transportation.

February 20, 1991

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE SUNSET ON THE MUNICIPAL PARTICIPATION IN IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-66.3(f) reads as rewritten:

"(f) Municipalities having a population of less than 10,000 according to the most recent annual estimates of population as certified to the Secretary of Revenue by the State Budget Officer shall not participate in the right-of-way and construction costs of any State highway system improvement project approved by the Board of Transportation under G.S. 143B-350(f)(4).

Municipalities having a population of 10,000 or more according to the most recent annual estimates of population as certified to the Secretary of Revenue by the State Budget Officer may, but shall not be required by the Department or Board of Transportation, participate up to a maximum percentage as shown below in the cost of rights-of-way of the portion of any transportation improvement project approved by the Board of Transportation under G.S. 143B-350(f)(4) that is located within the municipal corporate limits:

Municipal Maximum Participation

Population

In Right-of-Way Costs

10,000 - 25,000

5%

25,001 - 50,000

10%

1 50,001 - 100,000 15%
2 over 100,000 25%

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4 ~~This authority to allow a municipality to participate in the right-of-way costs of any~~
5 ~~transportation improvement project approved by the Board of Transportation under G.S.~~
6 ~~143B-350 (f)(4) that is located within the municipal corporate limits shall expire on~~
7 ~~June 30, 1992.~~

8 Any participation shall be set forth in an agreement between the municipality and
9 the Department of Transportation. Upon request of the municipality, the Department of
10 Transportation shall allow the municipality a period of not less than three years from the
11 date construction of the project is initiated to reimburse the Department their agreed
12 upon share of the costs of rights-of-way necessary for the project. The Department of
13 Transportation shall not charge a municipality any interest on its agreed upon share of
14 rights-of-way costs. The Secretary shall report in writing, on a monthly basis, to the
15 Joint Legislative Commission on Governmental Operations on all agreements entered
16 into between municipalities and the Department of Transportation. The report shall
17 state in summary form the contents of such agreements."

18 Sec. 2. This act is effective upon ratification.