

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 967

Short Title: Jt. Municipal Assist. Agency.

(Public)

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Sponsors: Representatives Diamont and Wilmoth.

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Referred to: Public Utilities.

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April 19, 1991

A BILL TO BE ENTITLED

1 AN ACT TO PERMIT CERTAIN CONSTITUENT INSTITUTIONS OF THE  
2 UNIVERSITY OF NORTH CAROLINA TO BECOME MEMBERS OF A JOINT  
3 MUNICIPAL ASSISTANCE AGENCY AND TO PERMIT ASSOCIATE  
4 MEMBERSHIPS TO SUCH AGENCY.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. Article 3 of Chapter 159B of the General Statutes is amended by  
8 adding a new section to read:

9 **"§ 159B-48. Nonmunicipal members; constituent institutions of The University of**  
10 **North Carolina.**

11 Notwithstanding the provisions of Article 1 of Chapter 159B of the General Statutes  
12 or any other provision of law, any constituent institution of The University of North  
13 Carolina, as defined in Article 1 of Chapter 116 of the General Statutes, that owns a  
14 system or facility for the generation, transmission, or distribution of electric power and  
15 energy for public and private use, may become a member of a joint municipal assistance  
16 agency. The Commissioner and one or more alternate Commissioners designated by  
17 any such members shall be appointed by its local governing board. As a member, the  
18 constituent institution has all the rights, privileges, immunities, powers, authority, and  
19 responsibilities of a municipal member of a joint municipal assistance agency under  
20 Article 3 of this Chapter, including, the protection and immunities granted under Article  
21 3 to those employed, appointed or otherwise acting on behalf of the constituent  
22 institutions, and the power and authority to enter into contracts and arrangements with a  
23 joint municipal assistance agency."

1           Sec. 2. Article 3 of Chapter 159B of the General Statutes is amended by  
2 adding a new section to read:

3 **"§ 159B-49. Associate members.**

4           Notwithstanding the provisions of Article 1 of Chapter 159B of the General Statutes  
5 or any other provision of law, a joint municipal assistance agency may, in its bylaws,  
6 create associate memberships. An associate member of a joint municipal assistance  
7 agency shall have only those rights, privileges, immunities, powers, authority, and  
8 responsibilities as set forth in the bylaws of the joint municipal assistance agency;  
9 provided, that:

10           (1) An associate member shall not have the right to appoint a  
11 commissioner or alternate commissioner, have the right to vote or  
12 otherwise participate in decisions of the joint municipal assistance  
13 agency;

14           (2) An associate member shall not have the right to a distribution of assets  
15 upon dissolution of the joint municipal assistance agency; and

16           (3) Income from the joint municipal assistance agency shall not accrue to,  
17 or otherwise inure to the benefit of, an associate member."

18           Sec. 3. This act is effective upon ratification.