

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 86*

Short Title: Mountain Area Study Continued.

(Public)

Sponsors: Senators Hyde, Plexico, and Simpson.

Referred to: Rules and Operation of the Senate.

February 9, 1993

A BILL TO BE ENTITLED

AN ACT TO CONTINUE AND EXPAND THE CHARGE OF THE MOUNTAIN
AREA STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The Mountain Area Study Commission is created. The Commission shall consist of 15 members: four Senators appointed by the President Pro Tempore of the Senate, four Representatives appointed by the Speaker of the House of Representatives, three members representing local government and the public sector appointed by the President Pro Tempore of the Senate, three members representing local government and the public sector appointed by the Speaker of the House of Representatives, and one member to be chosen by the other 14 members of the Commission.

Sec. 2. The President Pro Tempore of the Senate shall designate one Senator as cochairman and the Speaker of the House of Representatives shall designate one Representative as cochairman.

Sec. 3. The Commission shall:

- (1) Review current laws regulating land use in the mountain area to determine whether local governments need additional authority regarding land use management and local planning;
- (2) Evaluate planning models and programs in other states that are designed to coordinate provision of infrastructure, protection of the environment and natural resources, and efforts to accommodate growth;

- 1 (3) Develop voluntary planning guidelines and models that are geared to
2 the special needs of the mountain area and that pertain to mountain
3 protection, land use management, farm preservation, infrastructure,
4 economic development, growth strategies, and any other relevant
5 subject matter appropriate for local or regional planning to improve the
6 quality of life of citizens in the mountain area;
- 7 (4) Develop voluntary planning guidelines and models that include
8 options for local governments to accept, modify, or reject the models
9 developed;
- 10 (5) Review the procedures that should be followed by local governments
11 in adopting local land use and planning models;
- 12 (6) Review the kinds of technical assistance needed by communities to
13 implement local planning models, including but not limited to the use
14 of geographical information systems;
- 15 (7) Develop special incentives for individuals and local governments to
16 promote mountain protection and local planning, and to encourage the
17 management of land resources in the mountain area; and
- 18 (8) Establish a process of citizen participation and education on planning
19 issues that assures mountain area citizens of the opportunity to be
20 informed of and contribute to the work of the Commission.

21 Sec. 4. The Commission shall report its findings and recommendations to the
22 1994 Regular Session of the 1993 General Assembly or the 1995 General Assembly, or
23 both, by filing the report with the President Pro Tempore of the Senate and the Speaker
24 of the House of Representatives on or before the first day of the session. Upon filing its
25 final report, the Commission shall terminate.

26 Sec. 5. The Commission, while in the discharge of official duties, may
27 exercise all the powers provided for under the provisions of G.S. 120-19, and G.S. 120-
28 19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call
29 of the cochairmen. The Commission may meet in the Legislative Building or the
30 Legislative Office Building.

31 Sec. 6. Members of the Commission shall receive subsistence and travel
32 expenses at the rates set forth in G.S. 120-3.1.

33 Sec. 7. The Commission may contract for professional, clerical, or consultant
34 services as provided by G.S. 120-32.02. The Legislative Services Commission, through
35 the Legislative Administrative Officer, shall assign professional staff to assist in the
36 work of the Commission. The House of Representatives' and the Senate's Supervisors of
37 Clerks shall assign clerical staff to the Commission, upon the direction of the
38 Legislative Services Commission. The expenses relating to clerical employees shall be
39 borne by the Commission.

40 Sec. 8. When a vacancy occurs in the membership of the Commission the
41 vacancy shall be filled by the same appointing officer who, or entity which, made the
42 initial appointment.

1 Sec. 9. All State departments and agencies and local governments and their
2 subdivisions shall furnish the Commission and its staff with any information in their
3 possession or available to them.

4 Sec. 10. This act is effective upon ratification.