



# HOUSE BILL 1045: New Bern Charter/Revised & Consolidated.

2016-2017 General Assembly

<b>Committee:</b>	Senate State and Local Government	<b>Date:</b>	June 20, 2016
<b>Introduced by:</b>	Reps. Speciale, J. Bell, G. Graham	<b>Prepared by:</b>	Tawanda N. Foster Committee Counsel
<b>Analysis of:</b>	First Edition		

**SUMMARY:** *House Bill 1045 would revise and consolidate the Charter of the City of New Bern.*

**CURRENT LAW:** The Charter of the City of New Bern was last revised and consolidated in 1957. The current New Bern City Charter consists of the 1957 act, and numerous additional local laws<sup>1</sup> enacted by the General Assembly since that time.

The power to create or amend the powers of a municipality is found in Article VII, Sec. 1 of the NC Constitution. That section authorizes the following: "*The General Assembly shall provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable.*"

**BILL ANALYSIS:** House Bill 1045 would revise and consolidate the acts constituting the Charter of the City of New Bern, and combines them into a single new Charter.

The revised and consolidated Charter contains the following provisions:

- Creating and naming the City.
- 4-year terms for the Mayor and 6-member Board of Alderman, elected from wards, in nonpartisan elections.
- A Council-Manager form of government.
- Appointment of a City Manager, City Attorney, and City Finance Director by the Board of Alderman.
- A Police Civil Service Board.
- Repeal of prior acts, the provisions of which are incorporated into the revised and consolidated Charter.

**EFFECTIVE DATE:** This act would be effective when it becomes law.

*Giles Perry and Greg Roney with the Legislative Analysis Division substantially contributed to this summary.*

<sup>1</sup> Listed in Sections 4 and 5 of the bill.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578