



HOUSE BILL 151: Stanly Cty/Economic Development Commission.

2017-2018 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: May 24, 2017
Introduced by: Rep. Burr	Prepared by: Brad Krehely
Analysis of: Third Edition	Staff Attorney

OVERVIEW: *House Bill 151 consolidates the local acts dealing with the Stanly County Economic Development Commission. It makes changes to the composition of the Commission, the terms of office of appointees, the selection of officers, and the authority of the Commission to enter into contracts. This act is effective when it becomes law.*

CURRENT LAW: The Board of County Commissioners of Stanly County ("Board") is authorized to create an Economic Development Commission ("Commission"), which serves to aid and encourage new manufacturing, industrial, commercial, and agricultural development, increase the population and taxable property, promote the general welfare, and aid existing private enterprises in the county.

The Commission consists of 14 voting members, plus a chairman, who votes in the case of a tie.

- The Board appoints 12 members—two members from each of five areas of Stanly County (North, South, East, West, and Central) and two at-large members. Vacancies are filled by the Board, which appoints a new member from the same section of the county as the departing member. Members serve staggered two-year terms. Any member is eligible to reappointment.
- A designee of the Stanly County Chamber of Commerce and the President of the Stanly County Community Development Corporation serve as voting ex officio members.
- The Board designates a county commissioner to serve as chairman. The Board also designates an alternate, who attends and votes if the chairman is unable to do so. The chairman and alternate serve at the pleasure of the Board, as long as they remain a county commissioner.

The Stanly County Manager and Stanly County Attorney serve in a nonvoting ex officio capacity.

The Commission ratifies its own bylaws and procedural rules and policies, and makes changes to these bylaws and rules by a majority vote, subject to Board approval.

In order to fulfill the purposes for which it was created, the Commission may:

- Employ necessary personnel, as funds prescribed by the Board allow.
- Accept, receive, and disburse funds, grants, and services made available by the Federal or State government, any municipalities or counties, and private and civic sources.
- Receive disbursements from the County, subject to Board approval.
- Enter into a contract with the Stanly County Chamber of Commerce for an executive officer qualified in the field of economic development to be in charge of implementing its purposes. The executive officer may be an employee of the Chamber of Commerce or the County of Stanly.
- Expend any nontax funds, regardless of the source from which the funds are received.

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House Bill 151

Page 2

BILL ANALYSIS: House Bill 151 makes various changes to the Commission:

- Appointing of Members:
 - The number of voting members on the Commission will decrease to 13, consisting of:
 1. Two members representing business or industry from each of the Board's five electoral districts, appointed by the Board.
 2. Two county commissioners serving at the pleasure of the Board, provided they remain county commissioners.
 3. The President of the Stanly County Community College or the President's designee.
 - Vacancies will be filled by the Board. If the departing member represented one of the Board's filing districts, the vacancy will be filled by a person from the same electoral district.
- Terms of Office: The term of office is two years. The terms of current members would expire on May 31, 2017, and the Board would appoint new members whose terms would begin on June 1, 2017. All appointees continue to serve until their successors are appointed. To stagger the terms, ½ of the members appointed in 2017 would serve one year, and the remaining members would serve two years.
- Function & Authority:
 - At the Commission's first meeting after the appointment of members in 2017, the members will select, by a majority vote, a chair, vice-chair, and secretary.
 - An executive officer of the Commission is provided for in one of the following ways:
 - The County Manager has authority to appoint an executive officer, upon consultation with the Commission and approval of the Board.
 - The Commission has authority to enter into a contract with the Stanly County Chamber of Commerce for an executive officer, subject to Board approval.
 - The Commission may enter into contracts with the Stanly County Chamber of Commerce or another entity to implement the purposes of the Commission, subject to Board approval. Any contract awarded by the Commission without Board approval is null and void.
 - The Board has the authority to supervise the Commission at all times, and the Commission is prohibited from enter into any contract or agreement that restricts the Board's ability to do so.
- Economic Development Tax: The provision authorizing the Board to call a special election for qualified voters to approve an "Economic Development Tax" would be repealed, as separate statewide authority under G.S. 153A-149 exists.

The remaining provisions effectuate consolidation of the local acts and ensure continuity of the Commission.

EFFECTIVE DATE: This act is effective when it becomes law.

*Giles Perry and Jessica Sammons, Staff Attorneys for the Legislative Analysis Division, contributed substantially to this summary.