



# HOUSE BILL 1163: Guilford Funds/Cabarrus Land/Brunsw Shellfish.

2019-2020 General Assembly

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<b>Committee:</b>		<b>Date:</b>	October 13, 2020
<b>Introduced by:</b>		<b>Prepared by:</b>	Kyle Evans
<b>Analysis of:</b>	S.L. 2020-63		Staff Attorney

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**OVERVIEW:** *S.L. 2020-63 does the following:*

- *Reallocates the unused portion of funds originally allocated to Guilford County and certain municipalities in northwest Guilford County for water and wastewater system improvements by dividing that unused portion equally among the municipalities of Oak Ridge, Stokesdale, and Summerfield to be used for water infrastructure projects.*
- *Transfers certain parcels of the Stonewall Jackson Manual Training and Industrial School campus to Cabarrus County.*
- *Creates a pilot program to lift a moratorium on shellfish leases in certain waters in Brunswick County.*

*This act became effective July 1, 2020. The section creating a shellfish lease pilot program will expire July 1, 2032, and any leases granted pursuant to that section must expire no later than July 1, 2033.*

**CURRENT LAW/BILL ANALYSIS:**

The Current Operations and Capital Improvements Appropriations Act of 2016 (S.L. 2016-94), allocated \$14.5 million to the Counties of Rockingham and Guilford and to the municipalities in those counties to fund regionalization and interconnection of the water systems in those counties and municipalities. The act was amended by S.L. 2017-17 to apportion 25% of the funds to Guilford County and certain designated Guilford County municipalities, and 75% to Rockingham County and certain designated Rockingham County municipalities. S.L. 2019-75 expanded use of the funds to include sewer and wastewater projects and to provide that any funds not used or encumbered by June 30, 2021, shall revert to the General Fund.

**Sections 1 and 2** of S.L. 2020-63 provide that any unspent and unencumbered funds allocated by S.L. 2016-94, as amended, to Guilford County and the municipalities of Oak Ridge, Stokesdale, and Summerfield, for water and wastewater system improvements be reallocated equally to Oak Ridge, Stokesdale, and Summerfield for water infrastructure projects and would require that any funds unspent or unencumbered by June 30, 2022, revert to the General Fund.

The Joint Legislative Program Evaluation Oversight Committee's 2019-2020 Work Plan directed the Program Evaluation Division to identify legislative options for disposal of the Stonewall Jackson Manual Training and Industrial School historic campus ("Campus") in Cabarrus County in ways that would ensure historic preservation and rehabilitation.

Based on the recommendations of the PED Report, Sections 3–5 transfer certain parcels of the Campus. **Sections 3 and 4** set forth criteria to identify parcels to convey to Cabarrus County and authorizes the Department of Public Safety to use certain property for training purposes. **Section 5** identifies two parcels

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to be placed on the market for sale, the proceeds of which must be used to offset expenses incurred in identifying parcels to transfer to Cabarrus County under Sections 3 and 4.

There has been a moratorium on shellfish leases in Brunswick County since 1967.

**Section 6** creates a pilot program authorizing the Secretary of Environmental Quality to grant shellfish cultivation leases or water column leases in certain specified waters in Brunswick County. It also directs the Division of Marine Fisheries to study the leases and provide an interim report to the General Assembly by January 1, 2027, and a final report by January 1, 2032. In the final report, the Division must recommend whether the pilot program should be terminated, made permanent, or expanded.

**EFFECTIVE DATE:** This act became effective July 1, 2020. Section 6 of this act expires July 1, 2032, and any leases granted pursuant to that section must expire no later than July 1, 2033.

*Nicholas Giddings, Jeff Cherry, and Billy Godwin, Staff Attorneys, substantially contributed to this summary.*