

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 437

Short Title: NH County Commissioners Accountability Act. (Local)

Sponsors: Representative McComas (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government.

March 24, 2011

1 A BILL TO BE ENTITLED
2 AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS
3 ACCOUNTABLE FOR THE WORK OF GOVERNMENTAL AND
4 QUASI-GOVERNMENTAL AUTHORITIES, BOARDS, COMMITTEES, AND
5 COMMISSIONS APPOINTED BY THE COMMISSION OR RECEIVING COUNTY
6 FUNDS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** It is the duty of the New Hanover County Board of Commissioners
9 (Board) to provide oversight of, and to be accountable for, the activities of the authorities,
10 boards, committees, and commissions acting under the Board's control or authority. To that
11 end, the Board shall monitor the activities of each of the following authorities, boards,
12 committees, or commissions in order (i) to evaluate whether continued county funding is
13 warranted in each case, as appropriate, and (ii) to determine whether the Board's appointees are
14 carrying out their respective responsibilities in the best interest of New Hanover County:

- 15 (1) Adult Care Home Community Advisory Committee.
- 16 (2) Airlie Gardens Foundation Board of Directors.
- 17 (3) Airport Authority.
- 18 (4) Alcoholic Beverage Control.
- 19 (5) Board of Elections.
- 20 (6) Board of Examiners of Electricians.
- 21 (7) Board of Fire Commissioners.
- 22 (8) Board of Health.
- 23 (9) Board of Mechanical Examiners.
- 24 (10) Board of Social Services.
- 25 (11) Cape Fear Community College Board of Trustees.
- 26 (12) Cape Fear Museum Advisory Board.
- 27 (13) Cape Fear Public Transportation Authority.
- 28 (14) Cape Fear Public Utility Authority.
- 29 (15) Commission for Women.
- 30 (16) Cooperative Extension Advisory Council.
- 31 (17) Criminal Justice Partnership Advisory Board.
- 32 (18) Industrial Facilities and Pollution Control Financing Authority.
- 33 (19) Inspections Department Advisory Council.
- 34 (20) Jury Commission.
- 35 (21) Juvenile Crime Prevention Council.



- 1 (22) Library Advisory Board.
- 2 (23) Lower Cape Fear Water and Sewer Authority.
- 3 (24) New Hanover Regional Medical Center Board of Trustees.
- 4 (25) Nursing Home Community Advisory Board.
- 5 (26) Parks and Recreation Advisory Board.
- 6 (27) Planning Board.
- 7 (28) Plumbing Board of Examiners.
- 8 (29) Port, Waterway & Beach Commission.
- 9 (30) Risk Management Advisory Committee.
- 10 (31) Solid Waste Advisory Board.
- 11 (32) Southeastern Economic Development Commission.
- 12 (33) Special Board of Equalization and Review.
- 13 (34) Tourism Development Authority.
- 14 (35) Youth Empowerment Services Advisory Board.
- 15 (36) Zoning Board of Adjustment.
- 16 (37) Any other authority, board, committee, or commission created by the New
- 17 Hanover County Board of Commissioners.

18 **SECTION 2.** Notwithstanding any provision of law to the contrary, the members
19 of the entities listed in Section 1 of this act who are appointed by the Board serve at the
20 pleasure of the Board and may be removed by the Board immediately at any time upon the
21 unanimous vote of the members of the Board.

22 **SECTION 3.** By December 1, 2011, the New Hanover County Board of
23 Commissioners shall conduct a review of each entity listed in Section 1 of this act to determine
24 (i) whether continued County funding is warranted in each case, as appropriate, and (ii) if the
25 Board's appointees are carrying out their respective responsibilities in the best interest of New
26 Hanover County.

27 **SECTION 4.** The Wilmington City Council (Council) is encouraged to review the
28 authorities, boards, committees, and commissions under its control and authority in the same
29 manner as provided in this act for New Hanover County. Upon adoption of a resolution by the
30 Council to conform to the provisions of this act, and to conduct the required review by
31 December 1, 2011, the Council shall have the same powers as the County under this act relative
32 to the authorities, boards, committees, commissions, and other entities under the Council's
33 control or authority; and further, its appointees will be subject to removal as provided by
34 Section 2 of this act.

35 **SECTION 5.** The governing board of any other incorporated municipality within
36 New Hanover County that adopts a resolution in the same manner as provided by Section 4 of
37 this act shall likewise have the same powers as the County under this act relative to the
38 authorities, boards, committees, commissions, and other entities under the governing board's
39 control or authority; and further, its appointees will be subject to removal as provided by
40 Section 2 of this act.

41 **SECTION 6.** This act applies only to New Hanover County, to the City of
42 Wilmington, and to any other incorporated municipality in New Hanover County.

43 **SECTION 7.** This act is effective when it becomes law.