

May 20, 2008

**H 2314. VOLUNTARY COUNTY PARTICIPATION/DOT.** Filed 5/20/08. *TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

To be summarized in tomorrow's *Daily Bulletin*.

**Intro. by Cole.**

GS 136, 143B

May 21, 2008

**H 2314. VOLUNTARY COUNTY PARTICIPATION/DOT.** Filed 5/20/08. *TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

GS 136-66.3 permits (but does not require) municipalities to participate in the right-of-way and construction cost of a state highway improvement. Subsection (k) permits the counties of Burke, Cabarrus, and Mecklenburg to participate as if they were municipalities. This bill deletes the special provision for those specified counties and amends the statute to permit all counties to participate. It makes the same change in GS 136-44.50, GS-44.52, and GS-44.53 (transportation corridor official map act). It amends GS 136-98 (which permits counties to participate in highway improvement costs by agreement with the Department of Transportation) to specify that the Department may not transfer any of its responsibilities to counties without specific statutory authorization. The bill also amends GS 136-18(27), which authorizes the Department to adopt rules providing for property owner and highway user participation in costs, to extend those rules to include local government participation. Finally, the bill amends GS 143B-350(f1), which has provided that the ability of a municipality to participate in the costs is not to be a factor considered by the Board of Transportation in developing its schedule for highway improvement projects, so that the subsection would apply to all local governments, not just municipalities and to substitute "not the primary factor" for "not a factor."

**Intro. by Cole.**

GS 136, 143B

July 1, 2008

**H 2314. VOLUNTARY COUNTY PARTICIPATION/DOT.** Filed 5/20/08. House committee substitute makes the following changes to 1st edition. Deletes from the bill the provision amending GS 143B-350(f1) concerning the degree to which the Board of Transportation is to take into account a city's ability to pay for a transportation improvement in developing its improvement schedule. Adds a provision further amending GS 136-66.3(c1), (which, as amended by the bill, provides that if a county or city is participating in a state highway system improvement project under GS 136-66.3, the Department of Transportation must ensure that that participation does not cause any disadvantage to any other project elsewhere) to make that subsection applicable when cities or counties participate in highway improvement projects under GS 136-51 and GS 136-98 as well as GS 136-66.3.

July 10, 2008

**H 2314. VOLUNTARY COUNTY PARTICIPATION/DOT.** Filed 5/20/08. Senate committee substitute makes the following changes to 2nd edition. Amends GS 143B-350(f1) to provide that the ability of a local government (was, municipality) to pay for any transportation improvement project is not to be considered by the Board of Transportation in developing and approving a schedule of major state highway system improvement projects to be undertaken under GS 143B-350(f)(4). Amends GS 136-66.3(c1) which provides that if a county or municipality participates in a state highway system improvement project, the Department must ensure that the local government's participation does not cause any disadvantage to any other project in the Transportation Improvement Program under GS 143B-350(f)(4), by deleting language requiring that the other project also be located in that county.

July 14, 2008

**H 2314. VOLUNTARY COUNTY PARTICIPATION/DOT.** Filed 5/20/08. Senate amendment makes the following changes to 3rd edition.

Amends GS 136-18(2) to expand the authority of the NC Department of Transportation to include locating and acquiring any necessary rights-of-way, above or below ground, to locate lines for broadband communication. Makes conforming changes to the title. Renumbers the sections accordingly.

August 8, 2008

**SL 2008-180 (H 2314). VOLUNTARY COUNTY PARTICIPATION/DOT. AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, AND TO EXPAND THE AUTHORITY OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO LOCATE AND ACQUIRE RIGHT-OF-WAY FOR THE LOCATION, ABOVE OR BELOW GROUND, OF FIBER-OPTIC CABLE.** Summarized in *Daily Bulletin* 5/21/08, 7/1/08, 7/10/08, and 7/14/08. Enacted August 4, 2008. Effective August 4, 2008.