



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 97

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

S97-ATD-57 [v.5]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Third Edition

Date 7/30, 2009

Representative Ross

1 moves to amend the bill on page 2, lines 15 through 31, by rewriting the lines to read:
2 "A county may act directly, through one or more contracts with other public agencies,
3 through one or more contracts with private agencies, or by any combination thereof to
4 implement the project financed in whole or in part by the imposition of an assessment imposed
5 under this Article. If no more than twenty-five percent (25%) of the estimated cost of a project
6 is to be funded from the proceeds of general obligation bonds or general revenue, a private
7 agency that enters into a contract with a county for the implementation of all or part of the
8 project is subject to the provisions of Article 8 of Chapter 143 of the General Statutes only to
9 the extent specified in the contract. In the event any contract relating to construction a
10 substantial portion of which is to be performed on publicly owned property is excluded from
11 the provisions of Article 8 of Chapter 143, the county or any trustee or fiduciary responsible for
12 disbursing funds shall obtain certification acceptable to the county in the amount due for work
13 done or materials supplied for which payment will be paid from such disbursement. If the
14 county or any trustee or fiduciary responsible for disbursing funds receives notice of a claim
15 from any person who would be entitled to a mechanic's or materialman's lien but for the fact
16 that the claim relates to work performed on or supplies provided to publicly owned property,
17 then either no disbursement of funds may be made until the county, trustee or fiduciary receives
18 satisfactory proof of resolution of the claim or funds in the amount of the claim shall be set
19 aside for payment thereof upon resolution of the claim";

ADOPTED



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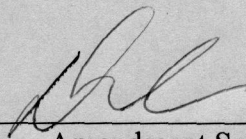
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and on page 3, lines 19 through 35, by rewriting those lines to read:

"A city may act directly, through one or more contracts with other public agencies, through one or more contracts with private agencies, or by any combination thereof to implement the project financed in whole or in part by the imposition of an assessment imposed under this Article. If no more than twenty-five percent (25%) of the estimated cost of a project is to be funded from the proceeds of general obligation bonds or general revenue, a private agency that enters into a contract with a city for the implementation of all or part of the project is subject to the provisions of Article 8 of Chapter 143 of the General Statutes only to the extent specified in the contract. In the event any contract relating to construction a substantial portion of which is to be performed on publicly owned property is excluded from the provisions of Article 8 of Chapter 143, the city or any trustee or fiduciary responsible for disbursing funds shall obtain certification acceptable to the city in the amount due for work done or materials supplied for which payment will be paid from such disbursement. If the city or any trustee or fiduciary responsible for disbursing funds receives notice of a claim from any person who would be entitled to a mechanic's or materialman's lien but for the fact that the claim relates to work performed on or supplies provided to publicly owned property, then either no disbursement of funds may be made until the city, trustee or fiduciary receives satisfactory proof of resolution of the claim or funds in the amount of the claim shall be set aside for payment thereof upon resolution of the claim."

SIGNED _____



Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED

108-0 EV

FAILED _____

TABLED _____

JUL 20 2009

Denise Weeks

ADOPTED