

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 82

Short Title: Graduated Matching Funds Based on Tier Status. (Public)

Sponsors: Senators Jacumin; Allran, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Dorsett, East, Foriest, Forrester, Goss, Hartsell, Jones, Kinnaird, Malone, Preston, Rouzer, Rucho, Snow, Stevens, Tillman, and Weinstein.

Referred to: Appropriations/Base Budget.

February 10, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE A GRADUATED SYSTEM OF MATCHING FUNDS FOR
3 GRANTS BASED ON TIER STATUS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 113-44.15(b) reads as rewritten:

6 "(b) Use. – Funds in the Trust Fund are annually appropriated to the North Carolina
7 Parks and Recreation Authority and, unless otherwise specified by the General Assembly or the
8 terms or conditions of a gift or grant, shall be allocated and used as follows:

9 (1) Sixty-five percent (65%) for the State Parks System for capital projects,
10 repairs and renovations of park facilities, and land acquisition, and to retire
11 debt incurred for these purposes under Article 9 of Chapter 142 of the
12 General Statutes.

13 (2) Thirty percent (30%) to provide matching funds to local governmental units
14 or public authorities as defined in G.S. 159-7 ~~on a dollar-for-dollar basis for~~
15 local park and recreation ~~purposes~~ purposes, according to the following: (i)
16 if located in a development tier one area, no more than one local public
17 dollar (\$1.00) shall be required as a match for every three dollars (\$3.00)
18 allocated; (ii) if located in a development tier two area, no more than two
19 local public dollars (\$2.00) shall be required as a match for every three
20 dollars (\$3.00) allocated; and (iii) if in a development tier three area, no
21 more than one local public dollar (\$1.00) shall be required as a match for
22 every dollar (\$1.00) allocated. The appraised value of land that is donated to
23 a local government unit or public authority may be applied to the matching
24 requirement of this subdivision. These funds shall be allocated by the North
25 Carolina Parks and Recreation Authority based on criteria patterned after the
26 Open Project Selection Process established for the Land and Water
27 Conservation Fund administered by the National Park Service of the United
28 States Department of the Interior. For purposes of this section, development
29 tier designations are defined in G.S. 143B-437.08. If a gift or grant involves
30 a project located in more than one development tier area, the highest
31 development tier designation shall be used to determine the local match
32 amount.

33 (3) Five percent (5%) for the Coastal and Estuarine Water Beach Access
34 Program."



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SECTION 2. G.S. 143B-437.72(c)(1) reads as rewritten:

"(c) Local Government Grant Agreement. – An agreement between the State and one or more local governments shall contain the following provisions:

(1) A commitment on the part of the local government to match the funds allocated by the ~~State~~ State, according to the following: (i) a development tier one area shall not be required to provide more than one local public dollar (\$1.00) for every three dollars (\$3.00) allocated by the State; (ii) a development tier two area shall not be required to provide more than two local public dollars (\$2.00) for every three dollars (\$3.00) allocated by the State; and (iii) a development tier three area shall not be required to provide more than one local public dollar (\$1.00) for every dollar (\$1.00) allocated by the State. A local match may include cash, fee waivers, in-kind services, the donation of assets, the provision of infrastructure, or a combination of these. For purposes of this Part, development tier designations are defined in G.S. 143B-437.08. If an agreement is between the State and more than one local government, the highest development tier designation shall be used to determine the local match amount.

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SECTION 3. This act becomes effective January 1, 2010.