

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

HOUSE BILL 1123
RATIFIED BILL

AN ACT AMENDING THE ACT AUTHORIZING THE APPOINTMENT OF AN AUTHORITY TO CONTROL THE MANAGEMENT OF A MEMORIAL STADIUM TO BE ERECTED BY DURHAM COUNTY, TO INCREASE ITS MEMBERSHIP, AND TO AMEND ITS TERM LIMITS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1 of Chapter 734 of the Session Laws of 1957 reads as rewritten:

"**Section 1.** The Board of Commissioners of Durham County may immediately after the ratification of this Act appoint an authority composed of ~~five (5)~~ seven members who shall be known as the Memorial Stadium Authority and who shall have the powers herein conferred and shall have the control of the management of the operation of the stadium after its completion.

Said authority shall operate said stadium in a proper, efficient, economical and businesslike manner to the end that the properties and facilities may effectively serve the public needs for which it was erected at the least cost and expense to Durham County.

~~One member of said authority shall be~~ Initially, the authority shall consist of one member appointed by the Board of Commissioners of Durham County for a period of one year; ~~one member~~ two members for a period of two years; one member for a period of three years; one member for a period of four years and one member for a period of five years. The seventh member of the authority is a member of the Board of Commissioners of Durham County appointed by that board to serve ex officio for an indefinite term until the earlier of when the member ceases to be a member of the board of commissioners or when replaced by the appointment of another member of the board of commissioners. The successor commissioner shall continue to serve in the capacity of that member's predecessor.

At the end of each term one member thereof shall be appointed by said Board of Commissioners each for a term of ~~five~~ four years. No member other than the ex officio member of the board of commissioners may serve more than eight consecutive years on the authority. In case any vacancies shall be created on said authority, the Board of Commissioners shall appoint a member to fill the unexpired term.

The members of the authority shall elect annually from their body a chairman, a vice chairman and a secretary and otherwise provide for the efficient management of its affairs; provided, however, the treasurer of the authority shall be the ~~treasurer~~ finance officer of Durham County.

All funds of the authority shall be kept by its treasurer in a separate bank account or accounts from other funds of Durham County, and shall be paid out only in accordance with procedures established by said authority.

The net proceeds from the operation of the stadium properties and facilities shall be used to apply on the payment of the interest and principal of the bonded indebtedness of Durham County incurred in connection with said stadium and shall not be used for any other purpose until said bonds, principal and interest have been paid, except as may be otherwise approved by the Board of Commissioners for other purposes of the authority. A quarterly operating statement of the authority shall be presented to the Board of Commissioners and an annual audited statement shall also be presented to said Board.

The authority shall appoint a manager for said stadium properties whose salary shall be approved by the Board of Commissioners. Such manager shall, in addition to other duties imposed upon him by the authority be responsible for the collection of rents or fees for the use



of the properties and facilities of the stadium. The authority shall appoint such other personnel as it deems advisable.

The authority shall have full and complete control of said stadium properties and facilities; shall make such reasonable rules and regulations as it deems necessary for the proper operation and maintenance of said properties and shall establish and collect rents, fees and charges for the use of said properties and facilities which said charges may include charges for concessions and for parking automobiles."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 28th day of June, 2012.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives