

Leadership NC: NC Government 101

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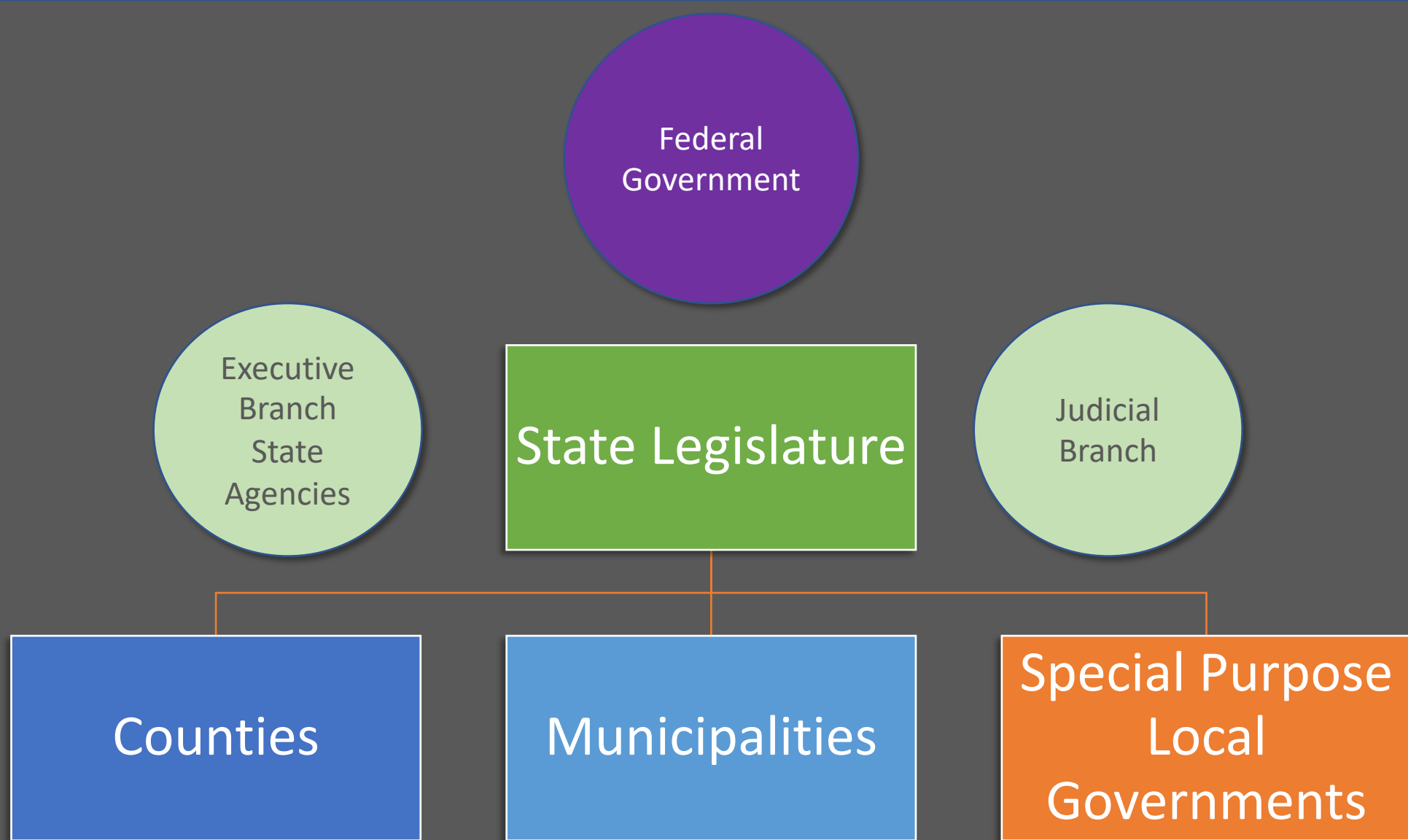
Kahoot.it

- Pull out smartphone/tablet or exit full screen in Zoom and open another browser (split screen so that you can see both Zoom and Kahoot)
- Kahoot.it
- Enter Pin
- Spin the wheel to get your code name
- When prompted, type answer or click on corresponding symbol or symbols





The Reality

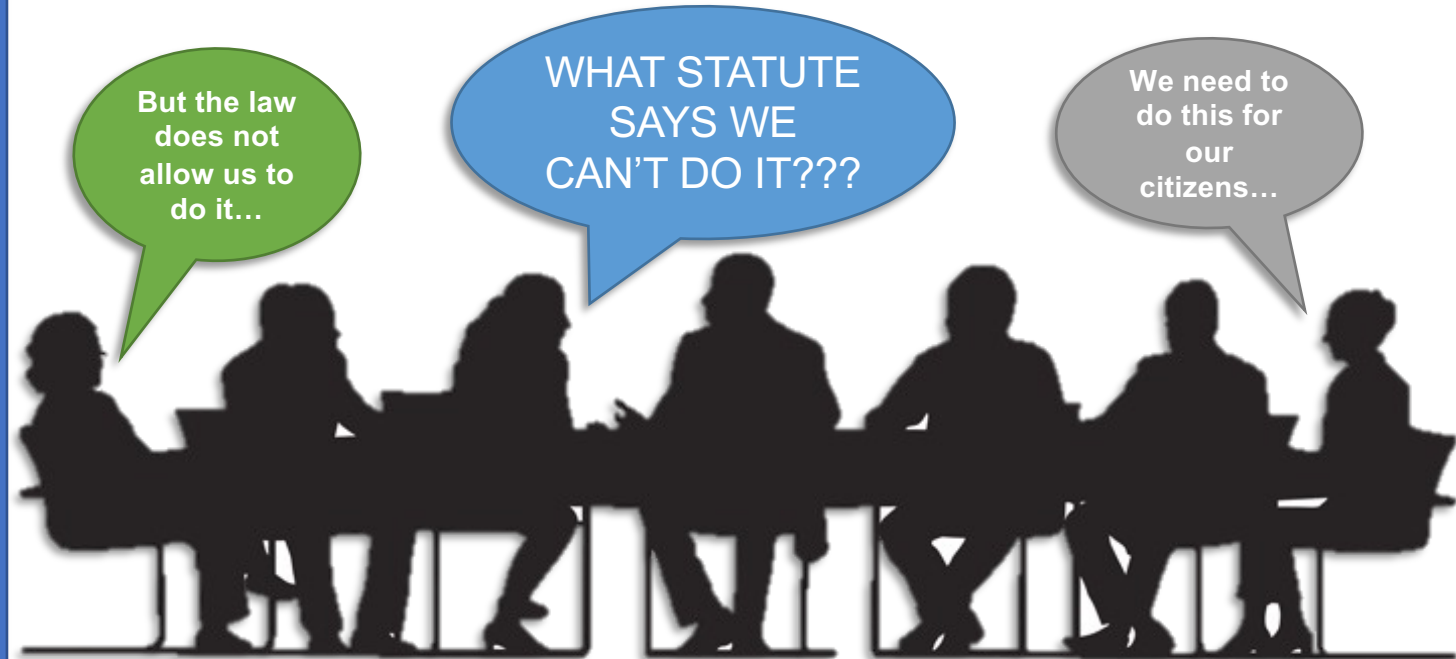


Non-Home Rule State

“No money shall be drawn from the treasury of any county, city or town, or other unit of local government except by authority of law.”

NC Constitution Art. V, Sect. 7

A local government
MUST have statutory
authority to
undertake any
activity.



But the law
does not
allow us to
do it...

WHAT STATUTE
SAYS WE
CAN'T DO IT???

We need to
do this for
our
citizens...

What Statute Says We Can Do It!

Laws Enacted By General Assembly

Laws regulating individual conduct

These laws prohibit certain acts or require certain acts by an individual in order to promote the interests of society generally.

Laws providing for services by the State

These laws authorize and direct services provided by the State. These services include public and higher education, hospital and health services, agricultural and industrial research, public facilities, and many others.

Laws empowering or directing local governments to act

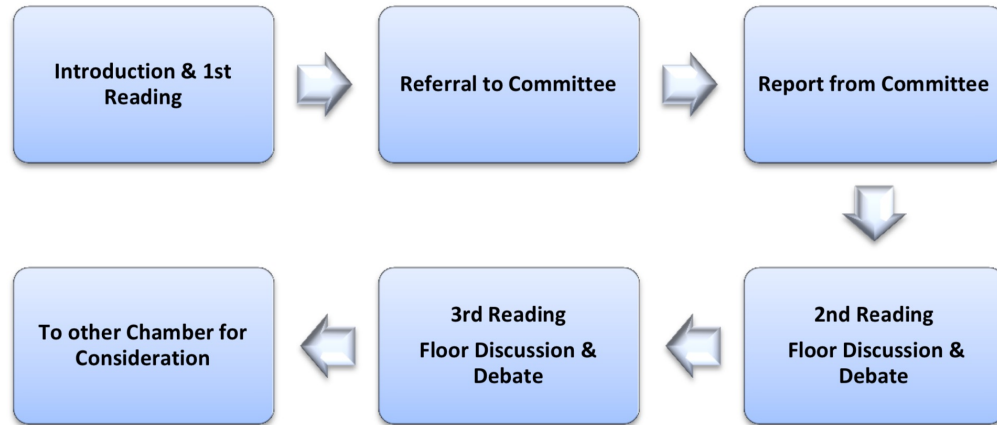
Laws determining how much money shall be raised by the State and for what purposes it shall be spent

When the General Assembly enacts the revenue and appropriations bills, it makes two determinations: (1) how much of the resources of the people of the State shall be taken for purposes of government, and (2) which governmental services and purposes shall have priority in the competition for available funds.

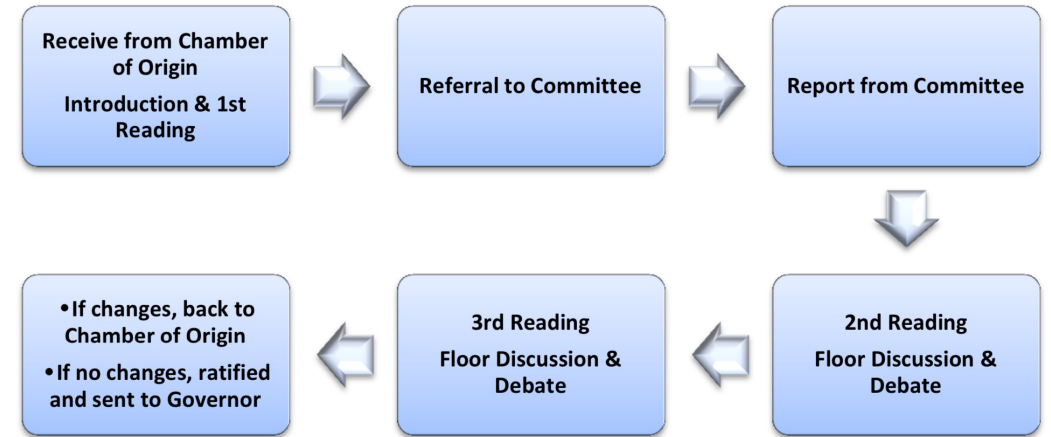
Amendments to the State Constitution

The General Assembly may propose amendments to the State Constitution. If an act to amend the Constitution is approved by at least three-fifths of the total membership of each house, the proposal is then submitted to the voters of the whole State

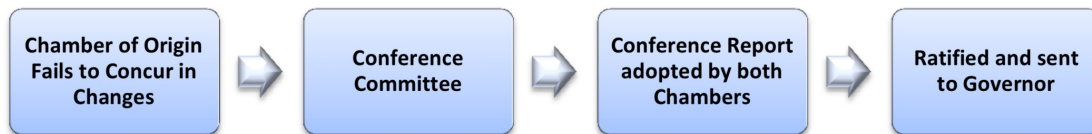
Bill Action in First Chamber



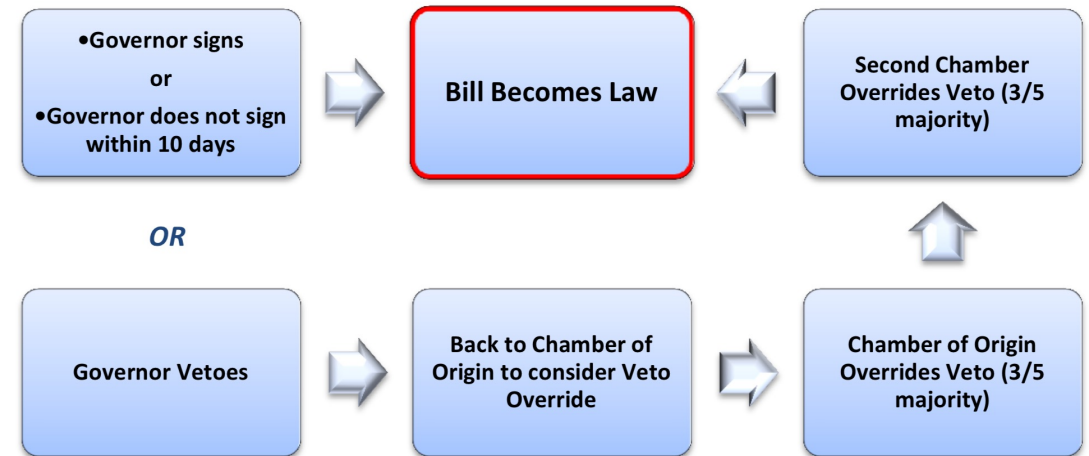
Bill Action in Second Chamber



Bill Action in Conference



Bill Action by the Governor





THE NORTH CAROLINA GENERAL ASSEMBLY

Overview of the Structure, Legislation and
Process of North Carolina's Legislature



HOW AN IDEA BECOMES A LAW:

*The Beginning, The
Middle, & The End*

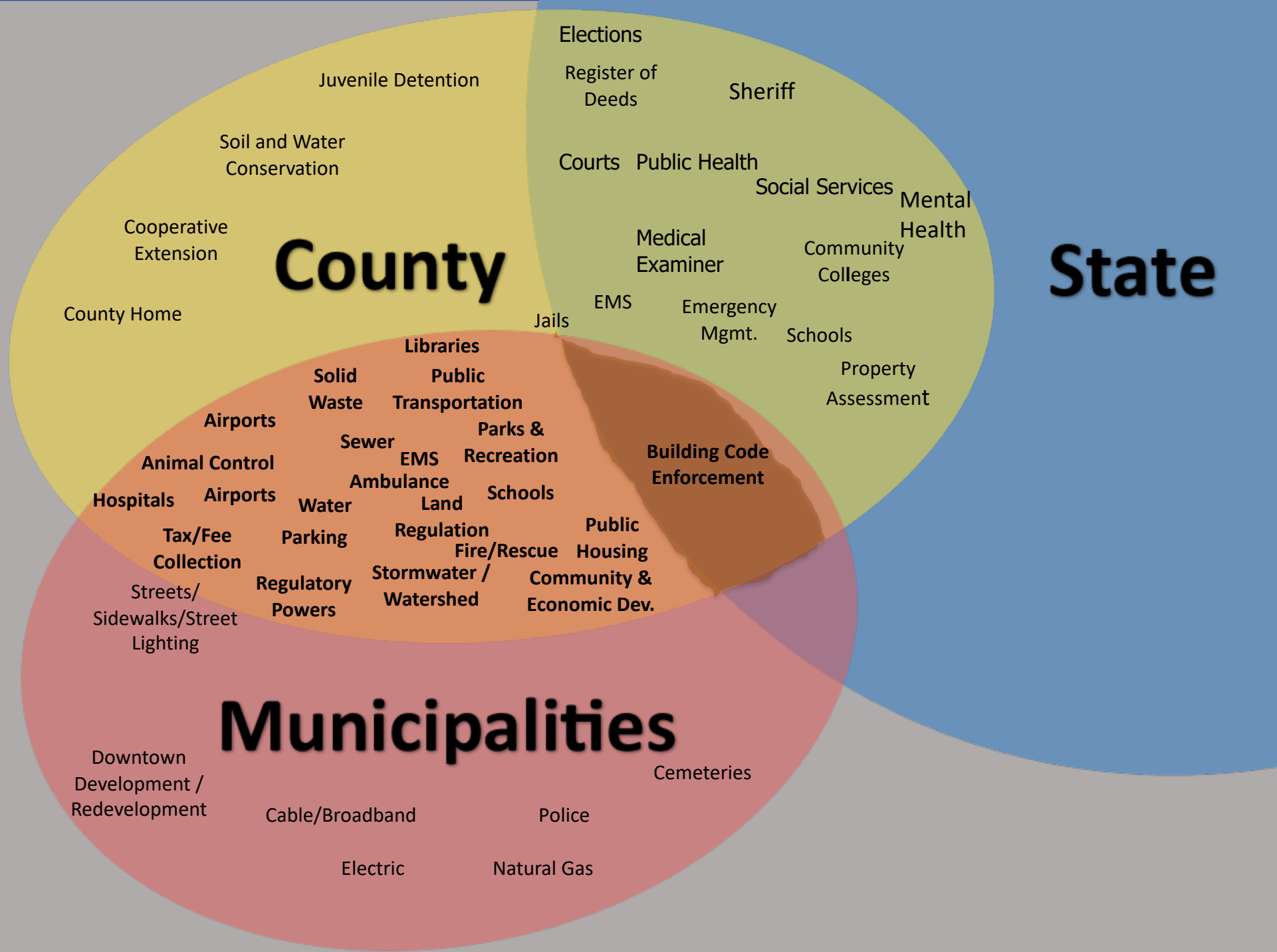
Class Materials

New Member Orientation
UNC School of Government

January 6, 2015

What do Local Governments Do?





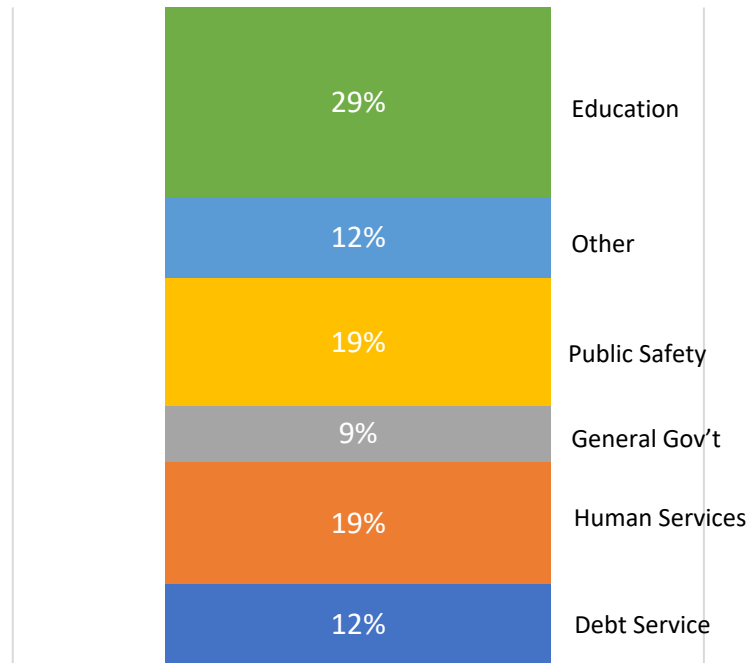


What Makes NC Gov't Unique?

- State has primary responsibility for funding education and highways
- Counties have primary responsibility for human services at the local level
- Counties have authority to provide most urban-type services
- Counties and cities have extensive authority to regulate and direct urban development
- Counties and cities have broad authority to enter interlocal agreements and form regional partnerships
- Heavy reliance on general-purpose local governments (counties and cities) to perform most local functions (e.g. schools do not have taxing authority)

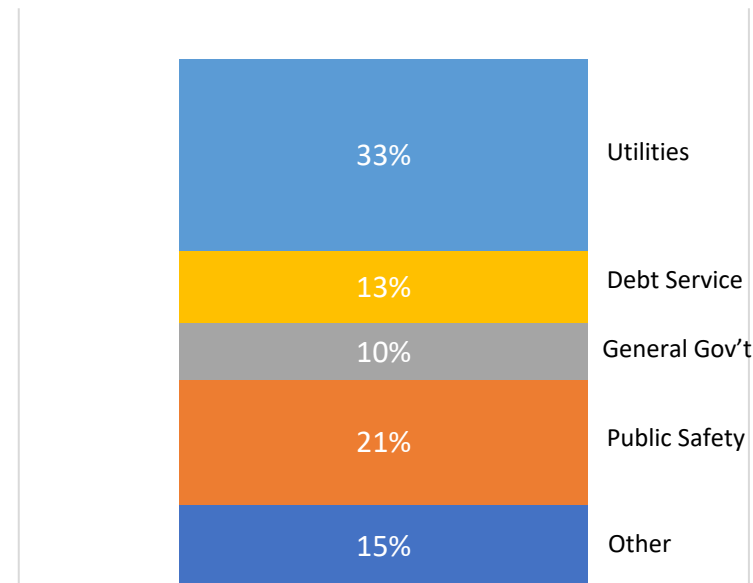
Local Government Budgets FY 2018-19

AGGREGATE COUNTY APPROPRIATIONS



COUNTY BUDGET

AGGREGATE MUNICIPAL APPROPRIATIONS



MUNICIPAL BUDGET

SOURCE: <https://www.nctreasurer.com/slglfm/financial-analysis/Pages/Analysis-by-Population.aspx>

Constitutional Limitations on Local Government



Public Purpose

“The power of taxation shall be exercised . . . for public purposes only . . .” N.C. Const. Art. V, Sect. 2(1)



Exclusive Privileges & Emoluments

“No person or set of persons is entitled to exclusive or separate emoluments* or privileges from the community but in consideration of public services.” N.C. Const. Art. I, Sect. 32

These constitutional limitations ensure that public funds are expended for the public benefit.

\$\$\$

to Private
Sector

Donations NOT Allowed

A NC local government
may not donate money to
a private entity

Partnerships Allowed

“A [city or county] may
contract with and
appropriate money to
any person, association,
or corporation, in order
to carry out any public
purpose **that the [local
government] is
authorized by law to
engage in.**”

The background image shows a city council meeting in progress. Three individuals are seated at a long wooden table. In the center background, there is a circular seal with a mountain range and the words 'CITY' and 'CLERK'. To the left and right, parts of the American and state flags are visible. Three colored boxes (orange, green, and blue) are overlaid on the image, each containing text about different types of board actions.

BOARD VOTE

A board may approve undertakings or direct staff by taking vote during official meeting

RESOLUTION

A formal expression of the opinion or will of governing board, adopted by a vote

ORDINANCE

An official rule adopted by the board that is legally enforceable

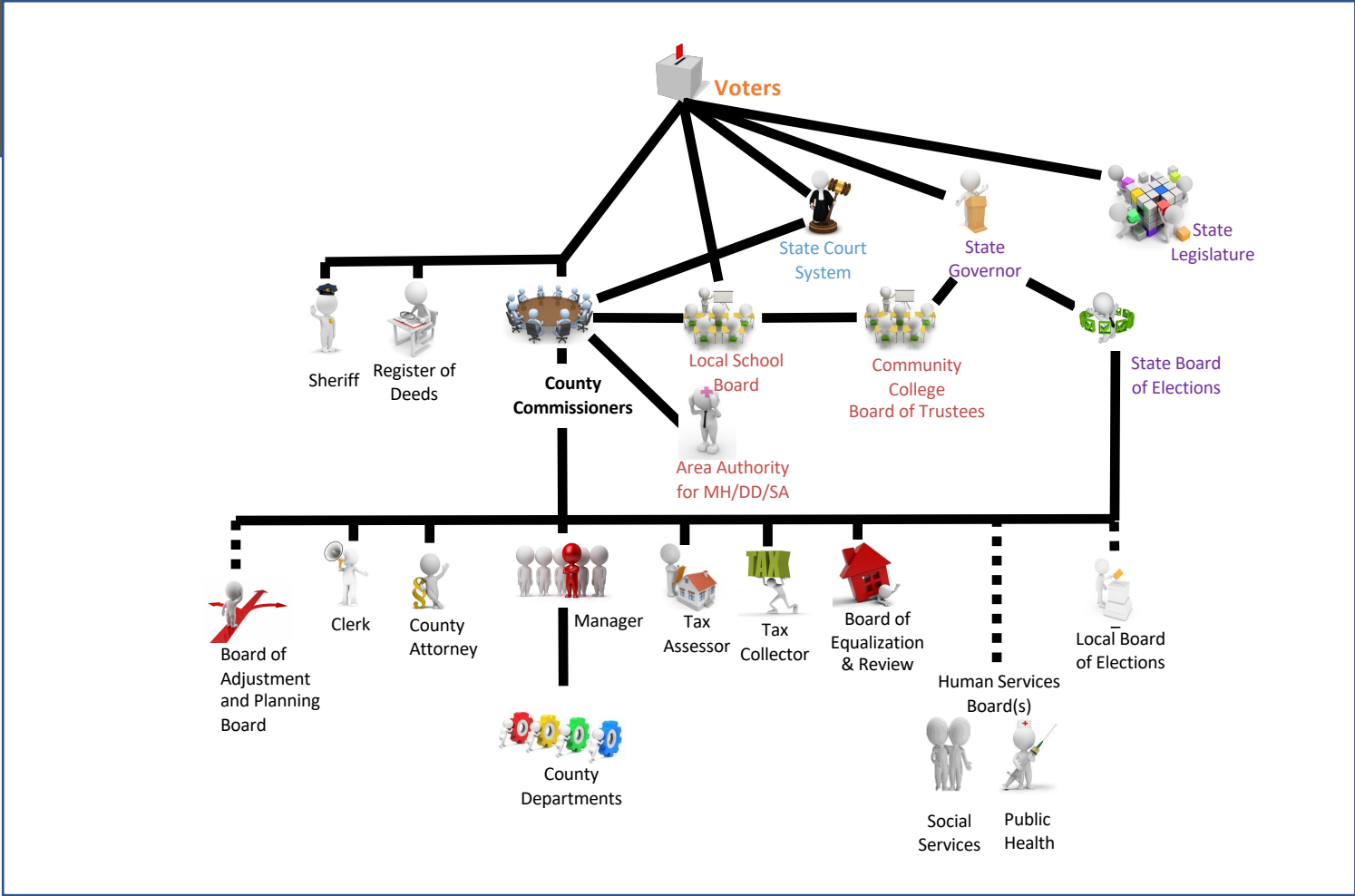
Governing Board Must Take Action as a Board & in an Official Meeting



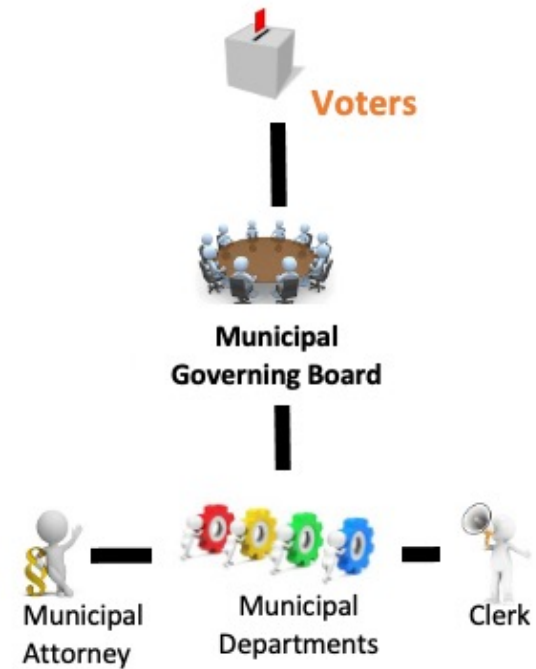
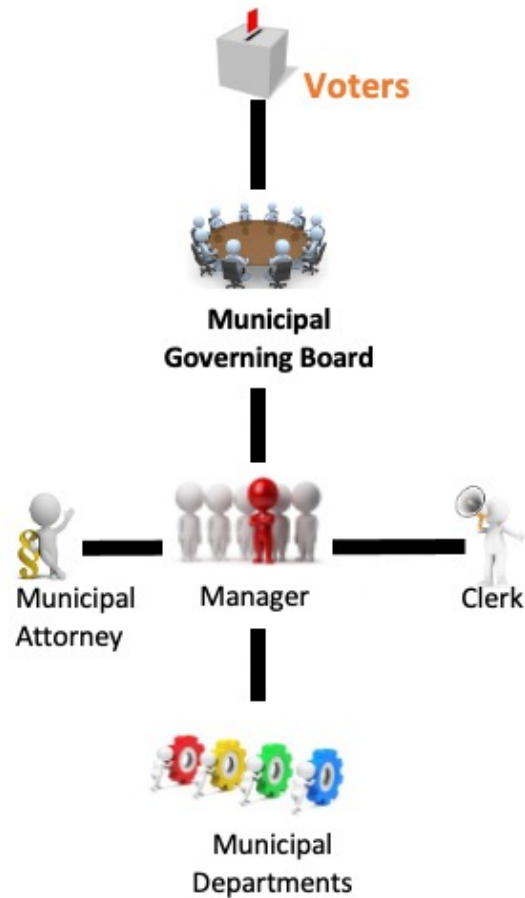
The Legislature has vested powers and authorities in various boards and officials of county government

Concerned about a delay in vote counting in the recent election, a majority of the board of county commissioners voted, at a properly convened board meeting, to hire 5 additional board of election staff members. The board amended the county budget ordinance to also fully fund the additional positions.

County Government



Municipal Government



American Rescue Plan Act of 2021

- 1 **\$350B: Coronavirus State & Local Fiscal Recovery Fund**
- 2 **\$10B: Coronavirus Capital Projects**
- 3 **\$656.18B: Direct Financial Assistance** (Stimulus Checks, Unemployment, Tax Credits, EIDL, PPP, etc.)
- 4 **\$56.27B Assistance to Individuals & Families** (SNAP, EBT, WIC, Nutrition Assistance, IDEA, Veterans Affairs, Family Violence Prevention, Pandemic Emergency Assistance, OAA, Elder Justice Act, Rental Assistance, Homelessness Assistance, Homeowner Assistance, Rural Housing, etc.)
- 5 **\$211.57B: Education & Childcare** (CCDBG, Education Stabilization, Child Care Entitlements, LIHEAP, LIHWAP, Head Start)
- 6 **\$86.24B: Health** (Emergency Rural Development Grants, Behavioral Health Clinic Expansion, Various Mental Health and Substance Abuse Programs, Testing & Vaccine Grants, etc.)
- 7 **\$40.16B: Transportation** (Transit Infrastructure Grants, Relief for Airports, Amtrak)
- 8 **\$61.32B: Other Programs** (Disaster Relief Fund, Emergency Food and Shelter Programs, Assistance to Firefighter and Emergency Response Grants, Emergency Management Performance Grants, Economic Development Assistance Programs, Environmental Justice Grants, etc.)

The Basics

Counties &
Metropolitan Cities
(over 50K population)

Distribution directly from
US Treasury, based on
population

Nonentitlement Units of
Local Government
(all other municipalities)

Distribution from NCRPO, based
on population but with budget cap

Must spend proceeds
for grant eligible
projects that are
authorized by state
law

½ allocation
May(ish) 2021

½ allocation
May(ish) 2022

Obligate funds between
May 3, 2021 and
December 31, 2024, and fully
expend by December 31, 2026

There are LOTS of
compliance strings
attached

ARP/CLFRF Allowable Expenditures

Address COVID Public Health

Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;

Address COVID Economic Impact

Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;

Replace Lost Revenue

Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;

Premium Pay

Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,

Infrastructure Investments

Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Disproportionately Negatively Impacted by Pandemic

Project Beneficiaries

