

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 1123\*

Short Title: Durham County Memorial Stadium. (Local)

Sponsors: Representatives Michaux, Luebke, Hall, and Wilkins (Primary Sponsors).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government, if favorable, Finance.

May 24, 2012

A BILL TO BE ENTITLED

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.



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

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

11 The authority shall appoint a manager for said stadium properties whose salary shall be  
12 approved by the Board of Commissioners. Such manager shall, in addition to other duties  
13 imposed upon him by the authority be responsible for the collection of rents or fees for the use  
14 of the properties and facilities of the stadium. The authority shall appoint such other personnel  
15 as it deems advisable.

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

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