

A RESOLUTION EXPRESSING THE CARRBORO BOARD OF ALDERMEN'S
OPPOSITION TO SENATE BILL 1004 AND URGING ITS DEFEAT IN THE NORTH
CAROLINA GENERAL ASSEMBLY

Resolution No. 97/2008-09

WHEREAS, the Board of Aldermen of the Town of Carrboro understands Senate Bill 1004, "Level Playing Field/Cities/Service Providers", introduced in the 2009 Session of the General Assembly of North Carolina, seeks to transform municipal fiber optics systems laws such that it will effectively prevent municipalities from competing in the marketplace with commercial providers; and

WHEREAS, the Town of Carrboro, after discussion by the Board of Aldermen, wishes to reserve the right to use future public communications infrastructure, such as fiber optic and wireless networks, for the public good; and

WHEREAS, the Board of Aldermen desires that all of the citizens, consumers and businesses in Carrboro have equal access to advanced and cost effective communications and entertainment services; and

WHEREAS, the current and expected economic climate makes access to telecommunications services critically important to Carrboro citizens for seeking employment, for education, and for a wide range of information resources; and

WHEREAS, the Board of Aldermen believes Senate Bill 1004 adds unnecessary burdens to local governments who have chosen to provide high-speed broadband telecommunication services to its businesses and residences and hinders the Town of Carrboro's ability to act in accordance with the best interests of its citizenry; and

WHEREAS, the Town of Carrboro believes that Senate Bill 1004 is not intended to make competition fair, but to disable local governments' ability to provide necessary services where current high quality internet services are non-existent and where private companies have chosen not to invest in those services; and

WHEREAS, the Board of Aldermen believes Senate Bill 1004 contradicts existing law, including the Local Development Act of 1925 as established by NCGS § 158 that allows local government to give support to the economic development of communities throughout North Carolina; and

WHEREAS, the General Assembly has already established laws which apply to local governments seeking to offer an enterprise service to its community (NCGS § 160A Article 16, NCGS § 159 Article 3, and NCGS § 160A, Article 3);

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the Board of Aldermen opposes passage of Senate Bill 1004 because of the additional and unnecessary barriers to local government's efforts to meet residents' telecommunication needs.

BE IT FURTHER RESOLVED that the Board of Aldermen urges the Senate Commerce Committee and any other legislative committee reviewing this bill to issue an unfavorable report on Senate Bill 1004 and urges each member of the General Assembly to reject this poorly conceived policy measure.