

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1029
SENATE BILL 1146

AN ACT RELATING TO THE CREATION OF A FOREST PRACTICES STUDY
COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known as the North Carolina Forest Practices Study Committee Act.

Sec. 2. Policy of the State. Purpose of act:

(a) Recognizing that the forest makes a vital contribution to the State of North Carolina and the nation by providing jobs, products, tax base, wildlife habitat, watersheds, and recreation, it is hereby declared to be public policy of the State of North Carolina to maintain and enhance such benefits and resources.

(b) Recognizing that certain cultural and commercial operations are necessary for the maintenance and enhancement of the forest resources, it is further declared to be public policy of the State of North Carolina that such operations be conducted in such a manner as to improve the forest resources and to protect and enhance the environment.

(c) The purpose of the act is to direct the Secretary of the Department of Natural and Economic Resources to conduct studies, hold hearings, and make recommendations to the 1975 General Assembly concerning legislation:

- (1) Designed to assure the continuous growing and harvesting of forest tree species and to protect the soil, air, and water resources, including, but not limited to, streams, lakes, and estuaries, and
- (2) Designed to coordinate activities among State agencies that are concerned with the forest environment.

Sec. 3. Definitions. As used in this act:

(a) "Operation" means a forestry commercial or cultural activity relating to the growing, harvesting, or processing of timber crops; a forestry cultural activity relating to wildlife, watershed, or recreational resource management.

(b) "Forest land" means nonfederal public and privately owned lands of which at least ten percent is stocked by forest trees of any size, or formerly had such tree cover, and which is not currently developed for nonforest use.

(c) "Operator" means any person or other entity who conducts an operation as defined in paragraph (a) of this section.

(d) "Landowner" means an individual, combination of individuals, partnership, corporation, association, or other entity holding an interest in forest land.

(e) "Secretary" means the Secretary of the Department of Natural and Economic Resources.

Sec. 4. Duties, Powers of the Secretary. The Secretary, in carrying out the policy and purposes of this act, shall:

(a) Appoint a Forest Practices Act Study Committee for the purpose of holding hearings and making recommendations to the Secretary concerning the purposes of this act. The Committee shall be composed of 11 voting members. No less than six of the members may be private forest landowners, private forest operators, or authorized representatives of private

forest landowners who engage in operations. All members of the Committee shall be qualified by education or experience in natural resource management. The Committee shall be appointed no later than 45 days following the passage of this act, and be discharged upon submission of their report as defined in Section 5(c).

(b) Appoint from the membership of the committee as outlined in Section 4(a) a chairman and vice-chairman.

(c) Upon receipt of recommendations from the Committee, prepare a report to the 1975 General Assembly concerning the need for legislation to regulate forest practices. The report will be due on the first day of the session and shall be presented to the Speaker of the House and the President of the Senate.

(d) Provide to the Committee necessary secretarial and professional natural resource management assistance.

Sec. 5. Duties, Powers of the Committee.

(a) The Committee shall hold no less than 4 public hearings, at least one public hearing in each of the geographic Forest Survey Units described in the 1966 United States Forest Service publication, "North Carolina's Timber," USFS Bulletin SE-5, page iv. Prior to holding public hearings, the Committee shall give proper notice in accordance with State administrative procedures.

(b) The chairman shall designate the time and place for each public hearing and each called meeting of the Committee. A majority of the Committee shall constitute a quorum for holding public hearings and for other meetings of the Committee. The chairman, or his designee, shall preside at each meeting.

(c) The Committee shall prepare and submit to the Secretary, no later than December 15, 1974, a report covering the need for legislation to regulate forest practices and, if necessary, specific recommendations concerning appropriate legislation which the Committee determines to be necessary to implement the findings of its study.

(d) The members of the Committee shall receive as compensation per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

Sec. 6. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, 1974.