

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 2
HOUSE BILL 67

AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 1995.

The General Assembly of North Carolina enacts:

Section 1. There is created the State-Owned Submerged Lands Advisory Committee.

(a) The Advisory Committee shall consist of 20 members, 10 appointed by the President Pro Tempore of the Senate and 10 appointed by the Speaker of the House of Representatives.

(b) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair from their respective appointees.

(c) The Advisory Committee shall study the issue of management of the private use of State-owned submerged lands, also known as public trust lands. The Advisory Committee shall review the history of the present use of these lands and shall consider current use of public trust lands and the appropriate fee structure, if any, for such use.

(d) The Advisory Committee shall meet upon the call of the cochairs. The first meeting shall be held within 10 days after the Advisory Committee has been appointed.

(e) Any person who is a member of the Advisory Committee may hold such membership concurrently with and in addition to any other elective or appointive office or offices such as a person is permitted to hold under G.S. 128-1.1.

(f) Members of the Advisory Committee who are not State employees shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

(g) All clerical services required by the Advisory Committee shall be supplied by the Department of Administration. The Attorney General shall provide legal services to the Advisory Committee.

(h) The Advisory Committee shall make its final written report to the General Assembly on or before May 1, 1995. Copies of the final report shall be provided to the Department of Administration, the Department of Environment, Health, and Natural Resources, and the Joint Legislative Commission on Seafood & Aquaculture. Upon making its final written report, the Advisory Committee shall terminate.

Sec. 2. Notwithstanding G.S. 146-11, G.S. 146-12, or any other provision of law, the Department of Administration shall not adopt a permanent schedule of terms and consideration for granting easements in lands covered by navigable waters owned

by the State prior to December 1, 1995. The Department of Administration may, however, set such terms and consideration on a case-by-case basis.

Sec. 3. The Department of Administration shall pay expenses of the Advisory Committee from available funds.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of February, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives