

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 52*

Short Title: State-Owned Submerged Lands Study.

(Public)

Sponsors: Senators Albertson; Parnell, Dannelly, Kerr, and Odom.

Referred to: Agriculture/Environment/Natural Resources.

January 26, 1995

A BILL TO BE ENTITLED

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2 **AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY**
3 **COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE**
4 **ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1,**
5 **1995.**

6 The General Assembly of North Carolina enacts:

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

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

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

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

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

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

4 (f) Members of the Advisory Committee who are not State employees shall
5 receive per diem and necessary travel and subsistence expenses in accordance with the
6 provisions of G.S. 138.5.

7 (g) All clerical services required by the Advisory Committee shall be supplied
8 by the Department of Environment, Health, and Natural Resources. The Attorney
9 General shall provide legal services to the Advisory Committee.

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

15 Sec. 2. Notwithstanding G.S. 146-11, G.S. 146-12, or any other provision of
16 law, the Department of Administration shall not adopt a permanent schedule of terms and
17 consideration for granting easements in lands covered by navigable waters or by the
18 waters of any lake owned by the State prior to December 1, 1995. The Department of
19 Administration may, however, set such terms and consideration on a case-by-case basis.

20 Sec. 3. The Department of Environment, Health, and Natural Resources shall
21 fund expenses of the Advisory Committee from available funds.

22 Sec. 4. This act is effective upon ratification.