

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2025

S

3

SENATE BILL 697

State and Local Government Committee Substitute Adopted 5/6/25
Third Edition Engrossed 5/7/25

Short Title: Lake Norman Marine Commission.

(Public)

Sponsors:

Referred to:

March 26, 2025

1 A BILL TO BE ENTITLED

2 AN ACT TO CODIFY AND RECONSTITUTE THE LAKE NORMAN MARINE
3 COMMISSION TO ADDRESS OPERATIONAL AND ADMINISTRATIVE
4 IMPROVEMENTS NECESSARY TO THE EFFECTUAL STEWARDSHIP OF LAKE
5 NORMAN AND TO ENSURE ITS WATER QUALITY, THE SAFETY OF
6 RECREATIONAL USERS, AND THE ECONOMIC AND PUBLIC HEALTH OF THE
7 LAKE NORMAN REGION.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.(a)** Chapter 77 of the General Statutes is amended by adding a new

10 Article to read:

11 "Article 6B.

12 "Lake Norman Marine Commission."

13 **SECTION 1.(b)** Chapter 1089 of the 1969 Session Laws, as amended by Section 3
14 of Chapter 494 of the 1991 Session Laws and Section 1 of Chapter 797 of the 1991 Session Laws,
15 is codified in Article 6B of Chapter 77 of the General Statutes, as enacted by subsection (a) of
16 this section, as follows:

17 Section of 1969 Session Law

G.S. Section

19 Section 1	G.S. 77-89.1
20 Section 2	G.S. 77-89.2
21 Section 3	G.S. 77-89.3
22 Section 4	G.S. 77-89.4
23 Section 5	G.S. 77-89.5
24 Section 6	G.S. 77-89.6
25 Section 7	G.S. 77-89.7
26 Section 8, as amended	G.S. 77-89.8
27 Section 9	G.S. 77-89.10

28 **SECTION 1.(c)** Article 6B of Chapter 77 of the General Statutes, as enacted by

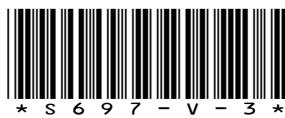
29 subsection (a) of this section and as amended by subsection (b) of this section, reads as rewritten:

30 "Article 6B.

31 "Lake Norman Marine Commission.

32 "**§ 77-89.1. Definitions.**

33 ~~Unless the context clearly requires otherwise, the~~ The following definitions apply in this
34 ~~Act:~~Article:



- (1) **Board:** Board. – The board of commissioners publicly elected governing board of one of the four counties.participating local governments.
- (2) **Commission:** Commission. – The Lake Norman Marine Commission or its governing board, as the case may be.Commission.
- (3) **Commissioner:** Member Commissioner. – A member of the governing board of the Lake Norman Marine Commission.
- (4) **Eligible local governments.** – Each of the four counties.
- (4)(5) **Four counties:** Four counties. – Catawba, Iredell, Lincoln, and Mecklenburg Counties.
- (5)(6) **Joint resolution:** resolution. – A resolution substantially identical in content adopted separately by the board inof each of the four counties.participating local governments.
- (6)(7) **Lake Norman:** Norman. – The impounded body of water along the Catawba River in the four counties extending from the bridge crossing of Rural Road 1004base of Lookout Shoals Dam downstream to Cowans Ford DamDam and lying below the full pond elevation of 760 feet above mean sea level based on the National Geodetic Vertical Datum of 1929.
- (8) **Participating local government.** – Any of the eligible local governments that have adopted a resolution to participate in the Commission and have not withdrawn.
- (7)(9) **Shoreline area:** area. – Except as modified by a joint resolution of the four counties.participating local governments, the area within the four counties lying within one mile50 feet landward of the mean high water linefull pond elevation contour of Lake Norman. In addition, the shoreline area shall include This term also includes all islands within Lake Norman and all peninsulas extending into the waters of Lake Norman.
- (8)(10) **Wildlife Commission:** Resources Commission. – The North Carolina Wildlife Resources Commission.Commission established under Article 24 of Chapter 143 of the General Statutes.

"§ 77-89.2. Creation of Commission authorized.

(a) The counties of Catawba, Iredell, Lincoln, and Mecklenburg are hereby authorized participating local governments may by joint resolution to create the Lake Norman Marine Commission. Upon its creation, the Commission shall enjoy the powers and have the duties has the powers, duties, and responsibilities conferred upon it by the joint resolution, subject to the provisions of this Act. Article. The provisions of any joint resolution may be modified, amended, or rescinded by a subsequent joint resolution. The purpose of the Lake Norman Marine Commission is to ensure the coordinated governance applicable to Lake Norman and its shoreline area concerning all matters related to public recreation and water quality and safety.

(b) A ~~county~~ participating local government may unilaterally withdraw from participation as required by any joint resolution or the provisions of this ~~Act~~, Article, once the Commission has been created, and any ~~county~~ participating local government may unilaterally withdraw from ~~said commission at the end of any budget period~~, the Commission by resolution of its board upon the conclusion of the informal settlement discussion provided in subsection (b1) of this section, not to exceed 90 days after the participating local government delivers to the Commission its notice of intent to withdraw.

(b1) Upon providing the Commission with notice of intent to withdraw, the participating local government and the Commission shall jointly appoint a mediation officer. The mediation officer shall make a reasonable effort to initiate settlement discussions between the participating local government and all other interested parties.

(c) Upon withdrawing from the Commission, a local government is no longer obligated to continue any financial or in-kind support of the Commission. By joint resolution of the

1 participating local governments, presented to and approved by the Commission, an eligible local
2 government may rejoin the Commission as a participating local government.

3 (d) Upon~~If upon~~ the effectuation of such withdrawal, the withdrawal there are fewer than
4 three counties that remain as participating local governments, the Commission is dissolved until
5 reestablished under the provisions of this Act Article or any successor act, and all property of the
6 Commission shall be distributed to or divided among the four counties participating local
7 governments and any other public agency or agencies serving the Lake Norman area in a manner
8 deemed equitable by the four counties participating local governments.

9 (e) Any rule, regulation, decision, or advisory action taken by the Commission pertaining
10 to the shoreline area shall only apply within those counties that are participating local
11 governments.

12 **"§ 77-89.3. Terms of members. Membership; terms of office; eligibility for appointment.**

13 (a) Upon its creation, the Commission shall have~~has~~ a governing board of five
14 commissioners. Except as otherwise provided for the first five year period, each commissioner
15 shall serve a five year term, with commissioners to serve overlapping terms so that one
16 commissioner appointment is made each year. Upon creation of the Commission, the board of
17 Catawba County shall appoint two commissioners and the boards of the other three counties shall
18 appoint one each. These initial appointees shall serve until September 30 following their
19 appointment. Thereafter, appointments shall be made each October 1 by the respective boards of
20 the four counties as follows:comprised of members appointed in accordance with subsections (b)
21 and (c) of this section.

22 (1) First year: Commissioner from Catawba, one year term; commissioner from
23 Iredell, two year term; commissioner from Lincoln, three year term;
24 commissioner from Mecklenburg, four year term; commissioner from
25 Catawba, five year term.

26 (2) Second year: Commissioner from Iredell, five year term.

27 (3) Third year: Commissioner from Lincoln, five year term.

28 (4) Fourth year: Commissioner from Mecklenburg, five year term.

29 (5) Fifth year: Commissioner from Catawba, five year term.

30 (6) Sixth and succeeding years: appointments for five year terms in rotation by
31 county in the order set out above.

32 (b) For the initial appointments, each participating local government shall appoint one
33 commissioner to serve a four-year term and a second commissioner to serve a five-year term.
34 Except as otherwise provided for the initial appointments, each commissioner shall serve a
35 five-year term.

36 (c) Those commissioners appointed by participating local governments in accordance
37 with subsection (b) of this section shall appoint one commissioner to a five-year term who shall
38 serve a one-year term as chair of the Commission. Each succeeding four years, the Commission
39 shall elect a new chair from the current commissioners to serve a one-year term. At the end of
40 each fourth year, the commissioners appointed by participating local governments in accordance
41 with subsection (b) of this section shall repeat the process of electing a chair as provided in this
42 subsection.

43 (d) Participating local governments shall appoint individuals who possess one or more of
44 the following qualifications:

45 (1) Has a primary residence adjoining Lake Norman.

46 (2) Has knowledge of boater safety protocols for all types of vessels.

47 (3) Has knowledge of water quality and aquatic vegetation management.

48 (4) Has experience in law enforcement.

49 (5) Has experience in public recreation management.

50 (6) Has experience in wildlife resources management.

1 (e) No more than thirty-five percent (35%) of the commissioners serving at any given
2 time may reside in the same county.

3 (f) No commissioner serving at any time may own a controlling interest in a business
4 that is dependent on income generated from Lake Norman. No more than thirty-five percent
5 (35%) of the commissioners serving at any given time may do any of the following:

6 (1) Have an ownership interest in any property adjoining the shoreline area of
7 Lake Norman.

8 (2) Have an ownership interest in or be employed by any business that generates
9 income from Lake Norman.

10 (3) Have an ownership interest in or be employed by a business that has an
11 ownership interest in property adjoining the shoreline area of Lake Norman.

12 (g) Each commissioner shall complete a written disclosure statement by January 31 of
13 each year that identifies any conflicts of interest he or she has, including any conflicts identified
14 in subsection (f) of this section. These annual disclosures shall be posted on a public website
15 maintained by the Commission by January 31 each year.

16 (h) The primary residence for all nine commissioners must be located in one of the four
17 counties and reside in such primary residence a minimum of nine months of every calendar year.

18 (i) In the event of death of a commissioner, resignation, incapacity or inability to serve,
19 as determined by the board appointing such the commissioner, or removal of the commissioner
20 for cause, as determined by the board appointing such the commissioner, the board affected may
21 appoint another commissioner to fill the unexpired term.

"§ 77-89.4. Compensation; budgetary and accounting procedures.

23 No commissioner shall receive compensation in the form of salary, wages, fees, or other
24 forms of compensation for serving as a commissioner. The joint resolution of the four counties
25 participating local governments shall state the terms relating to compensation to commissioners,
26 if any, the compensation of consultants and staff members employed by the Commission, and
27 reimbursement of expenses incurred by commissioners, consultants, and employees. The
28 Commission shall be is governed by such any budgetary and accounting procedures as may be
29 specified by joint resolution.

"§ 77-89.5. Organization and meetings.

31 (a) Upon creation of the Commission, its governing board shall meet at a time and place
32 agreed upon by the boards of the four counties concerned. participating local governments. The
33 commissioners shall elect a chairman chair and such any other officers as that they may choose.
34 choose, except that no commissioner may serve as chair for more than two consecutive terms.
35 All officers shall serve one-year terms. The governing board shall adopt such rules and
36 regulations as it may deem necessary, not inconsistent with the provisions of this Act Article or
37 of any joint resolution, for the proper discharge of its duties and for the governance of the
38 Commission. The chairman chair may appoint such committees as may be that have been
39 authorized by such rules and regulations. regulation. The Commission shall meet regularly at
40 such any times and places as may be specified in its rules and regulations or in any joint
41 resolution. Special meetings may be called as specified in the rules and regulations.

42 (b) The Commission is subject to the requirements of Chapter 132 of the General Statutes
43 and Article 33C of Chapter 143 of the General Statutes. All records produced or maintained by
44 the Commission are public records as defined in G.S. 132-1. The Commission shall maintain a
45 public website providing the public access to its public records.

"§ 77-89.6. Powers of Commission; administrative provision.

47 (a) Within the limits of funds available to it and subject to the provisions of this Act
48 Article and of any joint resolution, the Commission may:may do all of the following:

49 (1) Hire and Fix fix the compensation of permanent and temporary employees
50 and staff as it may deem that are necessary in carrying out its duties.

51 (2) Contract with consultants for such services as it may require.services.

- (3) Contract with the State of North Carolina or the Federal Government, federal government, or any agency or department or subdivision thereof, ~~for such property or services as may be provided to or by such agencies, and carry out the provisions of such contracts.~~ or any other person.
- (4) Contract with persons, firms, and corporations generally as to all matters over which it has a proper concern, and carry out the provisions of such contracts.
- (5)(4) Lease, rent, purchase, or otherwise obtain suitable quarters and office space for its employees and staff, staff and lease, rent, purchase, or otherwise obtain furniture, fixtures, aircraft, vessels, vehicles, firearms, uniforms, and other supplies and equipment necessary or desirable for carrying out the duties imposed in or under the authority of this Act. equipment.
- (6)(5) Lease, rent, purchase, construct, otherwise obtain, maintain, operate, repair, and replace, either on its own or in cooperation with other public or private agencies or individuals, any of the following: parks, shoreline and water recreational areas, swimming pools and swimming areas, marinas, fishing piers, boat docks, boating and fishing access areas, navigation aids, waterway markers, public information signs and notices, and other items of real and personal property designed to enhance public recreation, public safety in Lake Norman and its shoreline area, or protection of property in the shoreline area.
- (6) Assess fees as provided in G.S. 77-89.9, except as limited by any other provisions of State or federal law.
- (7) Request the Department of Environmental Quality to add certain species of vegetation and algae, as specifically applicable to Lake Norman and its shoreline area, to the Aquatic Weed Control Program.

(b) The Commission may accept, receive, and disburse in furtherance of its functions any funds, grants, services, or property made available by the ~~Federal Government~~ federal government or its agencies or subdivisions, by the State ~~Government~~ or its agencies or subdivisions, municipalities and towns or their agencies, or by private and civic sources.

(c) The boards of the four counties participating local governments, municipalities, and towns bordering Lake Norman may appropriate funds to the Commission out of surplus funds or funds derived from nontax sources. They may also appropriate funds out of tax revenues and may also levy annually levy taxes for the payment of such the appropriation as a special purpose, in addition to any allowed by the Constitution purpose.

(d) The Commission shall be ~~is~~ subject to such ~~any~~ audit requirements as may be specified in any joint resolution.

(e) ~~In carrying out some or all of its duties and in either in addition to or in lieu of exercising various provisions of the above authorizations, the~~ The Commission may, with the agreement of the board of the county concerned, utilize personnel and property of or assign responsibilities to any officer or employee of any of the ~~four~~ counties. Such participating local governments. A contribution in kind, if substantial, ~~may kind may,~~ with the agreement of the other ~~three~~ counties participating local governments, be deemed to substitute a substitute, in whole or in part, for the financial contribution required of ~~such county~~ the participating local government in support of the Commission.

(f) Unless otherwise specified by joint resolution, each of the ~~four counties~~ participating local governments shall annually contribute an equal financial contribution to the Commission in an amount appropriate to support the activities of the Commission in carrying out its duties.

(g) Before the close of each fiscal year, the Commission shall prepare a budget for the ensuing year for consideration by the boards of each participating local government for approval. Upon receiving the budget from the Commission, the board of each participating local government shall consider the budget and make recommendations as to any changes it deems advisable. Each participating local government shall complete its action on the Commission's

1 budget on or before the beginning of the Commission's fiscal year, or such later date as specified
2 by joint resolution.

3 **"§ 77-89.7. Filing and publication of joint resolutions.**

4 (a) A copy of the joint resolution creating the Commission and of any joint resolution
5 amending or repealing the joint resolution creating the Commission shall be filed with the
6 Executive Director of the Wildlife Resources Commission. When the Executive Director
7 receives resolutions that are in substance identical from all ~~four counties concerned, participating~~
8 local governments, the Executive Director shall within ten days so certify and distribute a
9 certified single resolution text to the following:

10 (1) The Secretary of State.
11 (2) ~~The Director of the Department of Local Affairs.~~
12 (3) ~~(2)~~ The clerk to the board of each of the ~~four counties~~participating local
13 governments.
14 (4) ~~(3)~~ The clerk of superior court of each of the four counties.
15 (4) The Secretary of the Department of Commerce.
16 (5) The Secretary of the Department of Environmental Quality.
17 (6) A news outlet serving a general audience throughout the four counties.

18 Upon request, the Executive Director shall also send a certified single copy of any and all
19 applicable joint resolutions to the chairmanchair of the Commission.

20 (b) Unless a joint resolution specifies a later date, it ~~shall take~~takes effect when the
21 Executive Director's certified text has been submitted to the Secretary of State for filing.
22 Certifications of the Executive Director under the seal of the Commission as to the text or
23 amended text of any joint resolution and of the date ~~or dates~~ of submission to the Secretary of
24 State ~~shall be~~are admissible in evidence in any court. Certifications by any clerk of superior
25 court of the text of any certified resolution filed with ~~him~~the clerk by the Executive Director
26 ~~shall also be~~are also admissible in ~~evidence~~evidence, and the Executive Director's submission
27 of the resolution for filing to the clerk ~~shall constitute~~constitutes prima facie evidence that ~~such~~
28 the resolution was on the date of submission also submitted for filing with the Secretary of State.
29 Except for the certificate of a clerk as to receipt and date of submission, no evidence ~~may~~shall
30 be admitted in court concerning the submission of the certified text of any resolution by the
31 Executive Director to any person other than the Secretary of State.

32 (c) Each participating local government shall incorporate a copy of the text of every joint
33 resolution in its local code of ordinances, as maintained in accordance with G.S. 153A-49 or
34 G.S. 160A-77.

35 **"§ 77-89.8. Regulatory authority.**

36 (a) Except as limited ~~in subsection (b) below, by subsection (c) of this section, by~~
37 ~~restrictions in any joint resolution, and or by other supervening provisions of law, the~~
38 ~~Commission may make regulations applicable to Lake Norman and its shoreline area concerning~~
39 ~~all matters relating to or affecting public recreation and water safety. area.~~ These regulations ~~may~~
40 ~~shall~~ not conflict with ~~or supersede provisions of general or special Acts or of regulations of State~~
41 ~~agencies promulgated under the authority of general law. State or federal law, or the exercise of~~
42 ~~any authority granted under any permit or license issued by any State or federal agency.~~ In lieu
43 ~~of or in addition to passing regulations supplementary to State law and regulations concerning~~
44 ~~the operation of vessels on Lake Norman, these regulations, the Commission may, after public~~
45 ~~notice, request that the Wildlife Resources Commission pass local regulations rules on this~~
46 ~~subject in accordance with the procedure established in G.S. 75A-15.~~

47 (a1) Notwithstanding G.S. 75A-16.2, the Commission may require any person born on or
48 after January 1, 1988, to complete a boating education course, approved by the National
49 Association of Safe Boating Law Administrators (NASBLA) and accepted by the Wildlife
50 Resources Commission, to operate a motorized watercraft of 20 horsepower or greater on Lake
51 Norman.

1 (b) Violation of any regulation of the Commission commanding or prohibiting an act
2 ~~shall be a misdemeanor is~~ punishable by a ~~fine not to exceed five hundred dollars (\$500.00)~~ per
3 ~~violation. Class 3 misdemeanor.~~

4 (c) ~~The regulations promulgated under this Section take effect upon passage or upon such~~
5 ~~dates as may be stipulated in the regulations except that no regulation may~~ ~~No regulation adopted~~
6 ~~under this section shall~~ be enforced unless adequate notice of the regulation has been posted in
7 or on Lake Norman or its shoreline area. Adequate notice as to a regulation affecting only a
8 particular location may be by a sign, uniform waterway marker, posted notice, or other effective
9 method of communicating the essential provisions of the regulation in the immediate vicinity of
10 the ~~location in question. Where~~ location. If a regulation applies generally ~~as to~~ Lake Norman or
11 its shoreline area, or both, there ~~must~~ ~~shall~~ be a posting of notices, signs, or markers
12 communicating ~~the~~ ~~its~~ essential provisions in at least three different places throughout the area.

13 (d) A copy of each regulation ~~promulgated under this Section must~~ ~~adopted under this~~
14 ~~section shall~~ be filed by the Commission with the following persons:

- 15 (1) The Secretary of ~~State, in accordance with G.S. 143-195 to 198. State.~~
- 16 (2) The clerk of superior court of each of the four ~~counties, in accordance with~~
17 ~~G.S. 143-198.1. counties.~~
- 18 (3) The Executive Director of the Wildlife ~~Resources~~ Commission.
- 19 (4) ~~The Director of the Department of Local Affairs. The Secretary of the~~
20 ~~Department of Commerce.~~
- 21 (5) ~~The Secretary of the Department of Environmental Quality.~~
- 22 (6) ~~The General Manager of Water Strategy, Hydro Licensing & Lake Services~~
23 ~~for the federal licensee of the Catawba-Wateree Hydro Project (FERC Project~~
24 ~~No. 2232).~~

25 (e) Any official designated in subsection (d) ~~above of this section~~ may issue certified
26 copies of regulations filed with ~~him under the seal of his office. Such~~ the official. The certified
27 copies may be received in evidence in any proceeding.

28 (e1) ~~Each participating local government shall incorporate a copy of the text of every~~
29 ~~regulation adopted by the Commission in its local code of ordinances, as maintained in~~
30 ~~accordance with G.S. 153A-49 or G.S. 160A-77.~~

31 (f) Publication and filing of regulations ~~promulgated under this Section as required above~~
32 ~~is adopted under this section are~~ for informational purposes and ~~shall not be~~ ~~are not~~ a prerequisite
33 to their validity if they in fact have been ~~duly promulgated, adopted,~~ the public has been notified
34 as to ~~the substance of the regulations, their substance,~~ a copy of the text of all regulations is in
35 fact available to any person ~~who that~~ may be affected, and no party to any proceeding has been
36 prejudiced by any defect ~~that may exist~~ with respect to publication and filing. ~~Rules and~~
37 ~~regulations promulgated~~ ~~Regulations adopted~~ by the Commission under ~~the provisions of other~~
38 ~~sections of this Act Article~~ relating to internal governance of the Commission ~~need not~~ ~~are not~~
39 ~~required to~~ be filed or published. ~~Where~~ ~~If~~ posting of any sign, notice, or marker or the making
40 of other communication is essential to the validity of a ~~regulation~~ ~~duly promulgated, regulation,~~
41 ~~it shall be~~ ~~is~~ presumed in any proceeding that proper notice was given and maintained and the
42 burden ~~shall lie~~ ~~lies~~ upon the party asserting to the contrary to prove lack of adequate notice of
43 ~~any~~ ~~the~~ regulation.

44 (g) Under authorization of a joint resolution, and subject to the limitations of this section,
45 the Commission may regulate personal watercraft operation in Lake Norman and from its
46 ~~shoreline~~ ~~shoreline area.~~

47 "§ 77-89.10. Enforcement.

48 (a) ~~Where~~ ~~If~~ a joint resolution so provides, all law enforcement officers (or ~~such~~ ~~any~~
49 officers ~~as may be~~ designated in the joint resolution) with territorial jurisdiction as to any part of
50 Lake Norman or its shoreline ~~area shall, area,~~ within the limitations of their subject matter
51 jurisdiction, have the authority of peace officers in enforcing the laws over all of Lake Norman

1 and its shoreline area, including any applicable ordinances or regulations adopted by local
2 governments.

3 (b) Where a joint resolution so provides, the Commission may hire special officers to
4 patrol and enforce the laws on Lake Norman and its shoreline area. Such special officers shall
5 have and exercise all the powers of peace officers generally within the area in question and shall
6 take the oaths and be subject to all provisions of law relating to law enforcement officers.

7 (c) Unless a joint resolution provides to the contrary, all courts in the four counties, within
8 the limits of their subject matter jurisdiction, shall have concurrent jurisdiction as to all criminal
9 offenses arising within the boundaries of Lake Norman and its shoreline area.

10 (d) Where If a law enforcement officer with jurisdiction over any part of Lake Norman
11 or its shoreline area is performing duties relating to the enforcement of the laws on Lake Norman
12 or in its shoreline area, he shall have such the officer also has any extra-territorial jurisdiction as
13 may be that is necessary to perform such these duties. These duties include investigations any of
14 the following:

15 (1) Investigations of crimes an officer reasonably believes have been, or are about
16 to be, committed within the area in question; traversing area.

17 (2) Traversing by reasonable routes from one portion of such the area to another
18 although across territory not within the boundaries of Lake Norman and its
19 shoreline area; conducting portion even if the route is not contained within the
20 area.

21 (3) Conducting prisoners in custody to such a court or detention facilities as may
22 be authorized by law, although this may involve going outside the area in
23 question; execution facility even if the court or facility is not within the area.

24 (4) Execution of process connected with any criminal offense alleged to have
25 been committed within the boundaries in question, except that such process
26 may not be executed by virtue of this provision area. This subdivision,
27 however, does not apply beyond the boundaries of the four continuing
28 counties;counties.

29 (5) Continuing pursuit of and arresting any violator or suspected violator as to
30 which whose grounds for arrest arose within the area in question. Where area.

31 (e) If any law enforcement officers are given additional territorial jurisdiction under the
32 provisions of this Section, this section, this shall be section is deemed an extension of the duties
33 of the office held and no officer shall take any additional oath or title of office.

34 (f) Each chief district magistrate of a district court district that includes one or more of
35 the four counties shall assign a magistrate with primary responsibility for adjudicating matters
36 concerning regulations of the Commission. This magistrate may hear other matters as germane
37 to the magistrate's jurisdiction in addition to those related to regulations of the Commission. As
38 it relates to this magistrate:

39 (1) The magistrate and supporting staff shall establish its office and conduct its
40 business within the Town of Huntersville, Cornelius, or Davidson.

41 (2) The four counties shall use the office of this magistrate as best serves the
42 public interest.

43 (3) The office of the magistrate as provided in subdivision (1) of this subsection
44 shall be available to law enforcement and the public for a minimum of eight
45 business days each month."

46 SECTION 1.(d) Article 6B of Chapter 77 of the General Statutes, as enacted by
47 subsection (a) of this section and amended by subsections (b) and (c) of this section, is amended
48 by adding a new section to read:

49 **§ 77-89.9. Fees.**

50 (a) Except as limited by any other provisions of State or federal law, the Commission
51 may assess fees related only to the following:

1 (1) Participation in education, training, or certification services provided by the
2 Commission.
3 (2) Use of facilities owned or operated by the Commission.
4 (3) Application for a permit administered by the Commission to regulate
5 privileged or special uses of Lake Norman and its shoreline area.
6 (b) In setting fee amounts to be charged for activities provided in subsection (a) of this
7 section, the Commission shall not do any of the following:
8 (1) Set a fee in an excessive amount that is neither reasonable nor customary
9 for the services and privileges provided by the Commission.
10 (2) Set a fee in an amount that exceeds the Commission's actual costs for the
11 service provided.
12 (3) Charge fees for general access to or use of Lake Norman or its shoreline area.
13 (4) Discriminate on the basis of race, color, sex, religious creed, or national origin.
14 (c) Each year by January 31, the Commission shall produce a publicly available and
15 auditable report that includes an accounting of all of its fee collections and funding from other
16 sources compared to its program-specific expenses during the prior calendar year. This annual
17 financial report shall include adequate detail to determine that the Commission has met each of
18 the requirements of this section, accompanied by a formal written certification of the same by
19 the chair of the Commission. If there is a surplus of fee collections or funding in a given calendar
20 year, it shall be applied to program-specific expenses for the next calendar year."

21 SECTION 2. G.S. 138A-3 reads as rewritten:

22 **"§ 138A-3. Definitions.**

23 The following definitions apply in this Chapter:

24 ...

25 (70) Public servants. – All of the following:

26 ...

27 w. Commissioners appointed to the Lake Norman Marine Commission.

28 "

29 SECTION 3 G.S. 77-113 reads as rewritten:

30 **"§ 77-113. Membership; terms of office; eligibility for appointment; meetings.**

31 (a) The Catawba/Wateree River Basin Advisory Commission shall be composed of 15
32 members as follows:

33 ...

34 (10) One person to represent the following commissions, appointed jointly by the
35 three ~~chief executive officers~~ chairs of the commissions: the Lake Wylie
36 Marine Commission established pursuant to Article 4 of Chapter 77 of the
37 General Statutes, the Mountain Island Lake Marine Commission established
38 pursuant to Article 6 of Chapter 77 of the General Statutes, and the Lake
39 Norman Marine Commission established pursuant to ~~Chapter 1089 of the~~
40 ~~1969 Session Laws~~ Article 6B of Chapter 77 of the General Statutes.

41 ...

42 (c) Each member appointed to the commissions pursuant to subdivisions (1) and (2) of
43 subsections (a) and (b) of this section shall serve at the pleasure of the appointing authority so
44 long as the member remains a Representative or Senator. Each member appointed to the
45 commissions pursuant to subdivisions (3) and (4) of subsections (a) and (b) of this section shall
46 serve as provided by the General Assembly of South Carolina. Each member appointed to the
47 commissions pursuant to subdivisions (7) through (9) of subsection (a) and subdivisions (8)
48 through (10) of subsection (b) of this section shall serve for so long as the member continues in
49 the qualifying position or, if the member is a designee, at the pleasure of the designating
50 authority. Each member appointed to the commissions pursuant to subdivisions (6) and (10) of
51 subsection (a) and subdivisions (7) and (11) of subsection (b) of this section shall serve a term of

1 two years and may be reappointed to serve no more than three consecutive full terms or 84
2 consecutive months, whichever is greater. The term of a person appointed to the commission
3 pursuant to subdivision (10) of subsection (a) of this section ~~shall expire~~expires on 1 January of
4 even-numbered years. The term of a person appointed to the commission pursuant to subdivision
5 (6) of subsection (a) of this section ~~shall expire~~expires on 1 January of odd-numbered years. The
6 term of a member who is appointed to the commissions pursuant to subdivisions (5) and (11) of
7 subsection (a) and subdivisions (5) and (6) of subsection (b) of this section shall serve as provided
8 by the General Assembly of South Carolina. An appointment to fill a vacancy on the commissions
9 shall be for the unexpired portion of the term. A vacancy on the commissions shall be filled in
10 the same manner as the original appointment. Members of the commissions who are appointed
11 from or reside in North Carolina may be removed by the Governor of North Carolina for
12 misfeasance, malfeasance, or nonfeasance, as provided in G.S. 143B-13.

13 ...

14 (f) Each commission shall meet upon the call of the Chair. A majority of each
15 commission ~~shall constitute~~constitutes a quorum for the transaction of business.

16"

17 **SECTION 4.(a)** Any joint resolution adopted by the four counties pursuant to
18 Chapter 1089 of the 1969 Session Laws, that is in effect immediately prior to the effective date
19 of this act, shall expire upon the adoption of a subsequent joint resolution by the participating
20 local governments consistent with the provisions of this act or September 30, 2025, whichever is
21 earlier.

22 **SECTION 4.(b)** The terms of the commissioners currently appointed to the
23 governing board of the Lake Norman Marine Commission shall expire on September 30, 2025.

24 **SECTION 5.** Upon the Lake Norman Marine Commission being reconstituted
25 pursuant to a joint resolution adopted by the participating local governments, all new
26 appointments to the governing board of the Lake Norman Marine Commission will be effective
27 on October 1, 2025.

28 **SECTION 6.** All rules, regulations, and decisions made by the predecessor Lake
29 Norman Marine Commission, reconstituted in accordance with this act, shall remain in full force
30 and effect until and unless duly modified by the successor entity.

31 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes
32 law.