

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025**

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**HOUSE BILL 23**

**Senate State and Local Government Committee Substitute Adopted 5/22/25**

Short Title: Various State and Local Gov't Provisions. (Public)

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Sponsors:

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Referred to:

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January 30, 2025

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW STANLY COMMUNITY COLLEGE TO OPERATE AN OFF MAIN  
2 CAMPUS CULINARY PROGRAM, TO AUTHORIZE THE GULLAH GEECHEE  
3 HERITAGE TRAIL IN BRUNSWICK COUNTY, TO PROVIDE FOR THE TRANSFER  
4 OF STATE PROPERTY TO THE TOWN OF BURGAW, TO AUTHORIZE THE  
5 ADDITION OF THE SOUTH FORK PASSAGE STATE TRAIL TO THE STATE PARKS  
6 SYSTEM, AND TO CODIFY THE LAKE NORMAN MARINE COMMISSION.  
7

8 The General Assembly of North Carolina enacts:  
9

10 **PART I. STANLY COMMUNITY COLLEGE OFF MAIN CAMPUS CULINARY**  
11 **PROGRAM**

12 **SECTION 1.1.** Section 9.15 of S.L. 2017-57 is repealed.  
13

14 **PART II. GULLAH GEECHEE HERITAGE TRAIL**

15 **SECTION 2.1.** The General Assembly authorizes the Gullah Geechee  
16 Greenway/Blueway Heritage Trail (Heritage Trail) in Brunswick County. The State shall  
17 support, promote, encourage, and facilitate the establishment of trail segments on State park lands  
18 and on lands of other federal, State, local, and private landowners. On segments of the Heritage  
19 Trail that cross property controlled by agencies or owners other than the State, the laws, rules,  
20 and policies of those agencies or owners shall govern the use of the property.  
21

22 **PART III. STATE PROPERTY TRANSFER TO THE TOWN OF BURGAW**

23 **SECTION 3.1.** The State of North Carolina shall convey to the Town of Burgaw,  
24 for consideration of one dollar (\$1.00), all its rights, titles, and interests in approximately 11 acres  
25 of the approximately 355.73 acre parcel identified with Land Asset ID 6095 in the inventory of  
26 State-owned land maintained by the Department of Administration pursuant to G.S. 143-341.  
27 This is the same property identified with PIN Number 3229-04-1665-0000, as seen in the Office  
28 of the Tax Administrator in Pender County, and is described in part in Deed Book 211, Page 279  
29 and Deed Book 922, Page 191 in the Pender County Register of Deeds. The Department of  
30 Administration, in consultation with the Town of Burgaw, shall determine specifically which  
31 portion of the land described in this section shall be transferred pursuant to this section.

32 **SECTION 3.2.** The conveyance pursuant to Section 3.1 of this Part is subject to a  
33 reversionary interest reserved by the State. The property shall be conveyed to the Town of  
34 Burgaw for so long as it is utilized for public purposes.

35 **SECTION 3.3.** The State of North Carolina shall convey the real property described  
36 in Section 3.1 of this Part "as is" and "where is" without warranty. The State makes no



1 representations or warranties concerning the title to the property, the boundaries of the property,  
2 the uses to which the property may be put, zoning, local ordinances, or any physical,  
3 environmental, health, and safety conditions relating to the property. All costs associated with  
4 the conveyance of the property shall be borne by the Town of Burgaw.

5 **SECTION 3.4.** The conveyance of the State's rights, titles, and interests in the real  
6 property described in Section 3.1 of this Part shall be exempt from the provisions of Article 7 of  
7 Chapter 146 of the General Statutes. The conveyance shall comply with the provisions of Article  
8 16 of Chapter 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not  
9 apply.

#### 10 11 **PART IV. AUTHORIZE ADDING SOUTH FORK PASSAGE STATE TRAIL TO THE** 12 **STATE PARKS SYSTEM**

13 **SECTION 4.1.** The General Assembly finds:

- 14 (1) The proposed South Fork Passage Trail corridor offers numerous economic  
15 benefits by expanding and enhancing the existing tourism industry. The  
16 diverse hydrology of the river in the corridor includes shoals, flatwater, class  
17 II rapids, and river tributaries that support a variety of recreational uses.
- 18 (2) The South Fork Passage Trail corridor is home to Spencer Mountain, the third  
19 highest peak in the Charlotte region, and the corridor passes through terrain  
20 that is emblematic of the Piedmont region of the State.
- 21 (3) The South Fork Passage Trail corridor also contains ecologically important  
22 habitat, including diverse wetlands, hardwood forests, and grasslands, that  
23 support numerous State and federal threatened or endangered species.
- 24 (4) The creation of a 60-mile hiking and paddling trail connecting Jacob Fork  
25 Park in Catawba County through Betty G. Ross Park in Lincoln County to  
26 George Poston Park, Goat Island Park, and Daniel Stowe Botanical Garden in  
27 Gaston County would expand existing recreational offerings and support  
28 ongoing efforts to conserve the South Fork of the Catawba River watershed.

29 **SECTION 4.2.** The General Assembly authorizes the Department of Natural and  
30 Cultural Resources (Department) to add the South Fork Passage Trail in Catawba, Lincoln, and  
31 Gaston Counties to the State Parks System as a State trail, as provided in G.S. 143B-135.54(b).  
32 The trail, which will run alongside the South Fork River, shall begin at the confluence of the  
33 Henry Fork and Jacob Fork at Jacob Fork Park and end at the boundary between the State and  
34 South Carolina on Lake Wylie.

35 **SECTION 4.3.** The Department shall support, promote, encourage, and facilitate the  
36 establishment of trail segments on State Park lands and on lands of other federal, State, local, and  
37 private landowners. On segments of the South Fork Passage State Trail that cross property  
38 controlled by agencies or owners other than the Department's Division of Parks and Recreation,  
39 the laws, rules, and policies of those agencies or owners shall govern the use of the property.

40 **SECTION 4.4.** The requirement of G.S. 143B-135.54(b) that additions be  
41 accompanied by adequate appropriations for land acquisition, development, and operations shall  
42 not apply to the authorization set forth in this Part; provided, however, that the State may receive  
43 donations of appropriate land and may purchase other needed lands for the South Fork Passage  
44 State Trail with existing funds in the Land and Water Fund, the Parks and Recreation Trust Fund,  
45 the Complete the Trails Fund, the federal Land and Water Conservation Fund, and other available  
46 sources of funding.

#### 47 48 **PART V. CODIFY LAKE NORMAN MARINE COMMISSION**

49 **SECTION 5.1.(a)** Chapter 77 of the General Statutes is amended by adding a new  
50 Article to read:

51 "Article 6B.

"Lake Norman Marine Commission."

**SECTION 5.1.(b)** Chapter 1089 of the 1969 Session Laws, as amended by Section 3 of Chapter 494 of the 1991 Session Laws and Section 1 of Chapter 797 of the 1991 Session Laws, is codified in Article 6B of Chapter 77 of the General Statutes, as enacted by subsection (a) of this section, as follows:

<u>Section of 1969 Session Law</u>	<u>G.S. Section</u>
Section 1	G.S. 77-89.1
Section 2	G.S. 77-89.2
Section 3	G.S. 77-89.3
Section 4	G.S. 77-89.4
Section 5	G.S. 77-89.5
Section 6	G.S. 77-89.6
Section 7	G.S. 77-89.7
Section 8, as amended	G.S. 77-89.8
Section 9	G.S. 77-89.10

**SECTION 5.1.(c)** Article 6B of Chapter 77 of the General Statutes, as enacted by subsection (a) of this section and as amended by subsection (b) of this section, reads as rewritten:

"Article 6B.

"Lake Norman Marine Commission.

**"§ 77-89.1. Definitions.**

~~Unless the context clearly requires otherwise, the~~ The following definitions apply in this ~~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 in of 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 4004 base of Lookout Shoals Dam downstream to Cowans Ford Dam. Dam 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 mile 50 feet landward of the mean high water line full 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-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 participating local governments, presented to and approved by the Commission, an eligible local government may rejoin the Commission as a participating local government.~~

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

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

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

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

~~(1) First year: Commissioner from Catawba, one-year term; commissioner from Iredell, two-year term; commissioner from Lincoln, three-year term; commissioner from Mecklenburg, four-year term; commissioner from Catawba, five-year term.~~

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

- 1           (3) ~~Third year: Commissioner from Lincoln, five year term.~~  
2           (4) ~~Fourth year: Commissioner from Mecklenburg, five year term.~~  
3           (5) ~~Fifth year: Commissioner from Catawba, five year term.~~  
4           (6) ~~Sixth and succeeding years: appointments for five year terms in rotation by~~  
5           ~~county in the order set out above.~~

6           **(b)** For the initial appointments, each participating local government shall appoint one  
7 commissioner to serve a four-year term and a second commissioner to serve a five-year term.  
8 Except as otherwise provided for the initial appointments, each commissioner shall serve a  
9 five-year term.

10          **(c)** Those commissioners appointed by participating local governments in accordance  
11 with subsection (b) of this section shall appoint one commissioner to a five-year term who shall  
12 serve a one-year term as chair of the Commission. Each succeeding four years, the Commission  
13 shall elect a new chair from the current commissioners to serve a one-year term. At the end of  
14 each fourth year, the commissioners appointed by participating local governments in accordance  
15 with subsection (b) of this section shall repeat the process of electing a chair as provided in this  
16 subsection.

17          **(d)** Participating local governments shall appoint individuals who possess one or more of  
18 the following qualifications:

- 19           (1) Has a primary residence adjoining Lake Norman.  
20           (2) Has knowledge of boater safety protocols for all types of vessels.  
21           (3) Has knowledge of water quality and aquatic vegetation management.  
22           (4) Has experience in law enforcement.  
23           (5) Has experience in public recreation management.  
24           (6) Has experience in wildlife resources management.

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

27          **(f)** No commissioner serving at any time may own a controlling interest in a business  
28 that is dependent on income generated from Lake Norman. No more than thirty-five percent  
29 (35%) of the commissioners serving at any given time may do any of the following:

- 30           (1) Have an ownership interest in any property adjoining the shoreline area of  
31 Lake Norman.  
32           (2) Have an ownership interest in or be employed by any business that generates  
33 income from Lake Norman.  
34           (3) Have an ownership interest in or be employed by a business that has an  
35 ownership interest in property adjoining the shoreline area of Lake Norman.

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

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

42          **(i)** In the event of death of a commissioner, resignation, incapacity or inability to serve,  
43 as determined by the board appointing ~~such the~~ commissioner, or removal of the commissioner  
44 for cause, as determined by the board appointing ~~such the~~ commissioner, the board ~~affected~~ may  
45 appoint another commissioner to fill the unexpired term.

46 **"§ 77-89.4. Compensation; budgetary and accounting procedures.**

47          No commissioner shall receive compensation in the form of salary, wages, fees, or other  
48 forms of compensation for serving as a commissioner. The joint resolution of the ~~four counties~~  
49 participating local governments shall state the terms relating to ~~compensation to commissioners,~~  
50 ~~if any,~~ the compensation of consultants and staff members employed by the Commission, and  
51 reimbursement of expenses incurred by commissioners, consultants, and employees. The

1 Commission ~~shall be is~~ governed by such any budgetary and accounting procedures as ~~may be~~  
 2 specified by joint resolution.

3 **"§ 77-89.5. Organization and meetings.**

4 (a) Upon creation of the Commission, its governing board shall meet at a time and place  
 5 agreed upon by the boards of the ~~four counties concerned. participating local governments.~~ The  
 6 commissioners shall elect a ~~chairman chair~~ and ~~such any~~ other officers ~~as that they may choose.~~  
 7 choose, except that no commissioner may serve as chair for more than two consecutive terms.

8 All officers shall serve one-year terms. The governing board shall adopt ~~such rules and~~  
 9 ~~regulations as it may deem necessary,~~ not inconsistent with the provisions of this ~~Act~~ Article  
 10 of any joint resolution, for the proper discharge of its duties and for the governance of the  
 11 Commission. The ~~chairman chair~~ may appoint ~~such committees as may be that have been~~  
 12 authorized by ~~such rules and regulations. regulation.~~ The Commission shall meet regularly at  
 13 ~~such any~~ times and places ~~as may be specified in its rules and regulations or in any joint~~  
 14 resolution. Special meetings may be called as specified in the ~~rules and regulations.~~

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

19 **"§ 77-89.6. Powers of Commission; administrative provision.**

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

- 22 (1) Hire and ~~Fix fix~~ the compensation of permanent and temporary employees  
 23 and staff ~~as it may deem that are~~ necessary in carrying out its duties.
- 24 (2) Contract with consultants for ~~such services as it may require. services.~~
- 25 (3) Contract with the State of North Carolina or the ~~Federal Government, federal~~  
 26 government, or any agency or department or subdivision thereof, ~~for such~~  
 27 property or services as may be provided to or by such agencies, and carry out  
 28 the provisions of such contracts. or any other person.
- 29 (4) Contract with persons, firms, and corporations generally as to all matters over  
 30 which it has a proper concern, and carry out the provisions of such contracts.
- 31 ~~(5)~~(4) Lease, rent, purchase, or otherwise obtain suitable quarters and office space  
 32 for its employees and staff, ~~staff~~ and lease, rent, purchase, or otherwise obtain  
 33 furniture, fixtures, aircraft, vessels, vehicles, firearms, uniforms, and other  
 34 supplies and ~~equipment necessary or desirable for carrying out the duties~~  
 35 imposed in or under the authority of this Act. equipment.
- 36 ~~(6)~~(5) Lease, rent, purchase, construct, otherwise obtain, maintain, operate, repair,  
 37 and replace, either on its own or in cooperation with other public or private  
 38 agencies or individuals, any of the following: parks, shoreline and water  
 39 recreational areas, swimming pools and swimming areas, marinas, fishing  
 40 piers, boat docks, boating and fishing access areas, navigation aids, waterway  
 41 markers, public information signs and notices, and other items of real and  
 42 personal property designed to enhance public recreation, public safety in Lake  
 43 Norman and its shoreline area, or protection of property in the shoreline area.
- 44 (6) Assess fees as provided in G.S. 77-89.9, except as limited by any other  
 45 provisions of State or federal law.
- 46 (7) Request the Department of Environmental Quality to add certain species of  
 47 vegetation and algae, as specifically applicable to Lake Norman and its  
 48 shoreline area, to the Aquatic Weed Control Program.

49 (b) The Commission may accept, receive, and disburse in furtherance of its functions any  
 50 funds, grants, services, or property made available by the ~~Federal Government~~ federal

1 government or its agencies or subdivisions, by the State ~~Government~~ or its agencies or  
2 subdivisions, municipalities and towns or their agencies, or by private and civic sources.

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

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

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

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

21 (g) Before the close of each fiscal year, the Commission shall prepare a budget for the  
22 ensuing year for consideration by the boards of each participating local government for approval.  
23 Upon receiving the budget from the Commission, the board of each participating local  
24 government shall consider the budget and make recommendations as to any changes it deems  
25 advisable. Each participating local government shall complete its action on the Commission's  
26 budget on or before the beginning of the Commission's fiscal year, or such later date as specified  
27 by joint resolution.

#### 28 **"§ 77-89.7. Filing and publication of joint resolutions.**

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

35 (1) The Secretary of State.

36 (2) ~~The Director of the Department of Local Affairs.~~

37 (3)(2) The clerk to the board of each of the ~~four counties~~ participating local  
38 governments.

39 (4)(3) The clerk of superior court of each of the four counties.

40 (4) The Secretary of the Department of Commerce.

41 (5) The Secretary of the Department of Environmental Quality.

42 (6) A news outlet serving a general audience throughout the four counties.

43 Upon request, the Executive Director shall also send a certified single copy of any and all  
44 applicable joint resolutions to the ~~chairman~~ chair of the Commission.

45 (b) Unless a joint resolution specifies a later date, it ~~shall take~~ takes effect when the  
46 Executive Director's certified text has been submitted to the Secretary of State for filing.  
47 Certifications of the Executive Director under the seal of the Commission as to the text or  
48 amended text of any joint resolution and of the date ~~or dates~~ of submission to the Secretary of  
49 State ~~shall be~~ are admissible in evidence in any court. Certifications by any clerk of superior  
50 court of the text of any certified resolution filed with ~~him~~ the clerk by the Executive Director  
51 ~~shall also be~~ are also admissible in ~~evidence~~ evidence, and the Executive Director's submission

1 of the resolution for filing to the clerk ~~shall constitute~~ constitutes prima facie evidence that ~~such~~  
2 the resolution was on the date of submission also submitted for filing with the Secretary of State.  
3 Except for the certificate of a clerk as to receipt and date of submission, no evidence ~~may~~ shall  
4 be admitted in court concerning the submission of the certified text of any resolution by the  
5 Executive Director to any person other than the Secretary of State.

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

9 **"§ 77-89.8. Regulatory authority.**

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

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

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

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

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

- 40 (1) The Secretary of State, ~~in accordance with G.S. 143-195 to 198.~~ State.
- 41 (2) The clerk of superior court of each of the four ~~counties, in accordance with~~  
42 ~~G.S. 143-198.1.~~ counties.
- 43 (3) The Executive Director of the Wildlife Resources Commission.
- 44 (4) ~~The Director of the Department of Local Affairs.~~ The Secretary of the  
45 Department of Commerce.
- 46 (5) The Secretary of the Department of Environmental Quality.
- 47 (6) The General Manager of Water Strategy, Hydro Licensing & Lake Services  
48 for the federal licensee of the Catawba-Wateree Hydro Project (FERC Project  
49 No. 2232).

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

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

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

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

23 **"§ 77-89.10. Enforcement.**

24 (a) ~~Where If~~ a joint resolution so provides, all law enforcement officers (or ~~such any~~  
25 ~~officers as may be~~ designated in the joint resolution) with territorial jurisdiction as to any part of  
26 Lake Norman or its shoreline ~~area shall, area,~~ within the limitations of their subject matter  
27 jurisdiction, have the authority of peace officers in enforcing the laws over all of Lake Norman  
28 and its shoreline ~~area. area,~~ including any applicable ordinances or regulations adopted by local  
29 ~~governments.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

23          **SECTION 5.1.(d)** Article 6B of Chapter 77 of the General Statutes, as enacted by  
24          subsection (a) of this section and amended by subsections (b) and (c) of this section, is amended  
25          by adding a new section to read:

26          "**§ 77-89.9. Fees.**

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

29                       (1) Participation in education, training, or certification services provided by the  
30                       Commission.

31                       (2) Use of facilities owned or operated by the Commission.

32                       (3) Application for a permit administered by the Commission to regulate  
33                       privileged or special uses of Lake Norman and its shoreline area.

34               (b) In setting fee amounts to be charged for activities provided in subsection (a) of this  
35               section, the Commission shall not do any of the following:

36                       (1) Set a fee in an excessive amount that is neither reasonable nor customary for  
37                       the services and privileges provided by the Commission.

38                       (2) Set a fee in an amount that exceeds the Commission's actual costs for the  
39                       service provided.

40                       (3) Charge fees for general access to or use of Lake Norman or its shoreline area.

41                       (4) Discriminate on the basis of race, color, sex, religious creed, or national origin.

42               (c) Each year by January 31, the Commission shall produce a publicly available and  
43               auditable report that includes an accounting of all of its fee collections and funding from other  
44               sources compared to its program-specific expenses during the prior calendar year. This annual  
45               financial report shall include adequate detail to determine that the Commission has met each of  
46               the requirements of this section, accompanied by a formal written certification of the same by  
47               the chair of the Commission. If there is a surplus of fee collections or funding in a given calendar  
48               year, it shall be applied to program-specific expenses for the next calendar year."

49          **SECTION 5.2.** G.S. 138A-3 reads as rewritten:

50          "**§ 138A-3. Definitions.**

51          The following definitions apply in this Chapter:

1 ...  
 2 (70) Public servants. – All of the following:  
 3 ...  
 4 w. Commissioners appointed to the Lake Norman Marine Commission.  
 5 ...."

6 **SECTION 5.3.** G.S. 77-113 reads as rewritten:

7 "**§ 77-113. Membership; terms of office; eligibility for appointment; meetings.**

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

10 ...  
 11 (10) One person to represent the following commissions, appointed jointly by the  
 12 three ~~chief executive officers~~ chairs of the commissions: the Lake Wylie  
 13 Marine Commission established pursuant to Article 4 of Chapter 77 of the  
 14 General Statutes, the Mountain Island Lake Marine Commission established  
 15 pursuant to Article 6 of Chapter 77 of the General Statutes, and the Lake  
 16 Norman Marine Commission established pursuant to ~~Chapter 1089 of the~~  
 17 ~~1969 Session Laws~~ Article 6B of Chapter 77 of the General Statutes.

18 ...  
 19 (c) Each member appointed to the commissions pursuant to subdivisions (1) and (2) of  
 20 subsections (a) and (b) of this section shall serve at the pleasure of the appointing authority so  
 21 long as the member remains a Representative or Senator. Each member appointed to the  
 22 commissions pursuant to subdivisions (3) and (4) of subsections (a) and (b) of this section shall  
 23 serve as provided by the General Assembly of South Carolina. Each member appointed to the  
 24 commissions pursuant to subdivisions (7) through (9) of subsection (a) and subdivisions (8)  
 25 through (10) of subsection (b) of this section shall serve for so long as the member continues in  
 26 the qualifying position or, if the member is a designee, at the pleasure of the designating  
 27 authority. Each member appointed to the commissions pursuant to subdivisions (6) and (10) of  
 28 subsection (a) and subdivisions (7) and (11) of subsection (b) of this section shall serve a term of  
 29 two years and may be reappointed to serve no more than three consecutive full terms or 84  
 30 consecutive months, whichever is greater. The term of a person appointed to the commission  
 31 pursuant to subdivision (10) of subsection (a) of this section ~~shall expire~~ expires on 1 January of  
 32 even-numbered years. The term of a person appointed to the commission pursuant to subdivision  
 33 (6) of subsection (a) of this section ~~shall expire~~ expires on 1 January of odd-numbered years. The  
 34 term of a member who is appointed to the commissions pursuant to subdivisions (5) and (11) of  
 35 subsection (a) and subdivisions (5) and (6) of subsection (b) of this section shall serve as provided  
 36 by the General Assembly of South Carolina. An appointment to fill a vacancy on the commissions  
 37 shall be for the unexpired portion of the term. A vacancy on the commissions shall be filled in  
 38 the same manner as the original appointment. Members of the commissions who are appointed  
 39 from or reside in North Carolina may be removed by the Governor of North Carolina for  
 40 misfeasance, malfeasance, or nonfeasance, as provided in G.S. 143B-13.

41 ...  
 42 (f) Each commission shall meet upon the call of the Chair. A majority of each  
 43 commission ~~shall constitute~~ constitutes a quorum for the transaction of business.  
 44 ...."

45 **SECTION 5.4.(a)** Any joint resolution adopted by the four counties pursuant to  
 46 Chapter 1089 of the 1969 Session Laws that is in effect immediately prior to the effective date  
 47 of this Part shall expire upon the adoption of a subsequent joint resolution by the participating  
 48 local governments consistent with the provisions of this Part or September 30, 2025, whichever  
 49 is earlier.

50 **SECTION 5.4.(b)** The terms of the commissioners currently appointed to the  
 51 governing board of the Lake Norman Marine Commission shall expire on September 30, 2025.

1           **SECTION 5.5.** Upon the Lake Norman Marine Commission being reconstituted  
2 pursuant to a joint resolution adopted by the participating local governments, all new  
3 appointments to the governing board of the Lake Norman Marine Commission will be effective  
4 on October 1, 2025.

5           **SECTION 5.6.** All rules, regulations, and decisions made by the predecessor Lake  
6 Norman Marine Commission, reconstituted in accordance with this Part, shall remain in full force  
7 and effect until and unless duly modified by the successor entity.

8  
9 **PART VI. EFFECTIVE DATE**

10           **SECTION 6.1.** Except as otherwise provided, this act is effective when it becomes  
11 law.