

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 769*

Short Title: Aquatic Weed Control Clarification. (Public)

Sponsors: Senators B. Jackson, Alexander (Primary Sponsors); and McInnis.

Referred to: Agriculture/Environment/Natural Resources

April 28, 2016

A BILL TO BE ENTITLED

AN ACT TO RENAME AND CLARIFY THE USES OF THE SHALLOW DRAFT
NAVIGATION CHANNEL DREDGING AND LAKE MAINTENANCE FUND, AS
RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON
AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES.

The General Assembly of North Carolina enacts:

SECTION 1. Part 8B of Article 21 of Chapter 143 of the General Statutes reads as
rewritten:

"Part 8B. Shallow Draft Navigation Channel and Lake Dredging Fund.

**"§ 143-215.73F. Shallow Draft Navigation Channel Dredging and ~~Lake Maintenance~~ Aquatic
Weed Fund.**

(a) Fund Established. – The Shallow Draft Navigation Channel Dredging and ~~Lake
Maintenance~~ Aquatic Weed Fund is established as a special revenue fund. The Fund consists of
fees credited to it under G.S. 75A-3 and G.S. 75A-38, taxes credited to it under G.S. 105-449.126,
and funds contributed by non-State entities.

(b) Uses of Fund. – Revenue in the Fund may only be used for the following purposes:

- (1) To provide the State's share of the costs associated with any dredging project
designed to keep shallow draft navigation channels located in State waters or
waters of the state located within lakes navigable and safe.
- (2) For aquatic weed control projects in waters of the State ~~located within lakes~~
under Article 15 of Chapter 113A of the General Statutes. Funding for aquatic
weed control projects is limited to five hundred thousand dollars (\$500,000) in
each fiscal year.

...."

SECTION 2.(a) G.S. 75A-3(c) reads as rewritten:

"(c) The Boating Account is established within the Wildlife Resources Fund created under
G.S. 143-250. Interest and other investment income earned by the Account accrues to the Account.
All moneys collected pursuant to the numbering and titling provisions of this Chapter shall be
credited to this Account. Motor fuel excise tax revenue is credited to the Account under
G.S. 105-449.126. The Commission shall use revenue in the Account, subject to the Executive
Budget Act and the Personnel Act, for the administration and enforcement of this Chapter; for
activities relating to boating and water safety including education and waterway marking and
improvement; and for boating access area acquisition, development, and maintenance. The
Commission shall use at least three dollars (\$3.00) of each one-year certificate of number fee and
at least nine dollars (\$9.00) of each three-year certificate of number fee collected under the
numbering provisions of G.S. 75A-5 for boating access area acquisition, development, and



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1 maintenance. The Commission shall transfer on a quarterly basis fifty percent (50%) of each
2 one-year certificate of number fee and fifty percent (50%) of each three-year certificate of number
3 fee collected under the numbering provisions of G.S. 75A-5 to the Shallow Draft Navigation
4 Channel Dredging and ~~Lake Maintenance~~Aquatic Weed Fund established by G.S. 143-215.73F."

5 **SECTION 2.(b)** G.S. 75-38(b) reads as rewritten:

6 "(b) The Commission shall charge a fee of thirty dollars (\$30.00) to issue a new or transfer
7 certificate of title. The Commission shall transfer on a quarterly basis at least ten dollars (\$10.00)
8 of each new or transfer certificate of title to the Shallow Draft Navigation Channel Dredging and
9 ~~Lake Maintenance~~Aquatic Weed Fund established by G.S. 143-215.73F. The Commission shall
10 charge a fee of ten dollars (\$10.00) for each duplicate title it issues and for the recording of a
11 supplemental lien."

12 **SECTION 2.(c)** G.S. 105-449.126 reads as rewritten:

13 **"§ 105-449.126. Distribution of part of Highway Fund allocation to Wildlife Resources Fund**
14 **and Shallow Draft Navigation Channel Dredging and ~~Lake Maintenance~~Aquatic**
15 **Weed Fund.**

16 ...

17 (b) The Secretary shall credit to the Shallow Draft Navigation Channel Dredging and ~~Lake~~
18 ~~Maintenance~~Aquatic Weed Fund one percent (1%) of the amount that is allocated to the Highway
19 Fund under G.S. 105-449.125 and is from the excise tax on motor fuel. Revenue credited to the
20 Shallow Draft Navigation Channel Dredging and ~~Lake Maintenance~~Aquatic Weed Fund under this
21 section may be used only for the dredging activities described in G.S. 143-215.73F. The Secretary
22 shall credit revenue to the Shallow Draft Navigation Channel Dredging and ~~Lake~~
23 ~~Maintenance~~Aquatic Weed Fund on a quarterly basis. The Secretary must make the distribution
24 within 45 days of the end of each quarter."

25 **SECTION 3.** This act becomes effective July 1, 2016.