



NORTH CAROLINA GENERAL ASSEMBLY
 AMENDMENT
 House Bill 200

16
Adopted

AMENDMENT NO. 2621
 (to be filled in by
 Principal Clerk)

H200-ALD-91 [v.1]

Page 1 of 3

Comm. Sub. [YES]
 Amends Title [NO]
 H200-CSLExf-13

Date MAY 25 2011, 2011

Senator Apodaca

- 1 moves to amend the bill on moves to amend the bill on page 183, line 38,
 2 by rewriting that line to read:
 3
 4 "supplies by the preservation of forests; it shall also have the care of State forests and State
 5 recreational forests."";
 6
 7 and on page 184, line 54, by deleting "two";
 8
 9 and on page 184, line 59,
 10 by rewriting that line to read:
 11
 12 "prevention.
 13 (20) State recreational forests. – Have charge of all State recreational forests."";
 14
 15 and on page 185, line 28, by deleting "three";
 16
 17 and on page 185, line 41,
 18 by rewriting that line to read:
 19
 20 "Carolina for the use and benefit of the Department.
 21 (21) State recreational forests. – Have charge of all State recreational forests.
 22 (22) Property for State recreational forests. – Acquire real and personal property
 23 as desirable and necessary for the performance of the duties and functions of
 24 the Department under subdivision (21) of this section and pay for the
 25 property out of any funds appropriated for the Department or available
 26 unappropriated revenues of the Department, when such acquisition is
 27 approved by the Governor and Council of State. The title to any real estate
 28 acquired under this subdivision shall be in the name of the State of North
 29 Carolina for the use and benefit of the Department."";
 30
 31
 32 and on page 190, line 18 through 24,
 33 by rewriting those lines to read:



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Page 2 of 3

"Acquisition and Control of State Forests and State Recreational Forests.

"§ 106-840. Policy and plan to be inaugurated by Department of Agriculture and Consumer Services.

(a) In this Article, unless the context requires otherwise, "Department" means the Department of Agriculture and Consumer Services and "Commissioner" means Commissioner of Agriculture.

(b) For purposes of this Chapter, "State recreational forest " means a forest managed primarily for natural resource preservation, scenic enjoyment, and recreational purposes.

(c) The Department shall inaugurate the following policy and plan looking to the";

and on page 193, line 37,

by rewriting that line to read:

"desirable for State forests and State recreational forests.";

and on page 194, line 2,

by rewriting that line to read:

"exchange shall not be contrary to the terms of any contract that it has entered into.

"§ 106-857. Management of DuPont State Recreational Forest.

(a) DuPont State Forest is designated as a State Recreational Forest. The Department shall manage DuPont State Recreational Forest: (i) primarily for natural resource preservation, scenic enjoyment and recreational purposes, including horseback riding, hiking, bicycling, hunting, and fishing; (ii) so as to provide an exemplary model of scientifically sound, ecologically-based natural resource management for the social and economic benefit of the forest's diverse community of users; and, (iii) consistent with the grant agreement between the Natural Heritage Trust Fund and the Division of Forest Resources, which grant designates a portion of the forest as a North Carolina Nature Preserve. In addition, the Department may use the forest for the demonstration of different forest management and resource protection techniques for local landowners, natural resource professionals, students, and other forest visitors.

(b) The Department shall adopt a land management plan for DuPont State Recreational Forest, which shall be periodically revised as needed, to: (i) provide the ecological context within which management of the forest will be conducted; (ii) describe the desired future condition of natural resources throughout the forest toward which management will be directed; and, (iii) outline appropriate management techniques to achieve those desired future conditions.

(c) Notwithstanding subsection (a) of G.S. 106-847, with respect to DuPont State Recreational Forest, the Department may cut and remove timber for forest management purposes only, including for the purposes of fire, pest, and disease prevention and control. The Department may cut, remove, and sell timber for the purpose of revenue generation only upon approval of the Governor and the Council of State.

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H200-ALD-91 [v.1]

Page 3 of 3

1 (d) Notwithstanding G.S. 106-856, with respect to property comprising DuPont State
2 Recreational Forest, the Department may sell, lease, or exchange such property only upon
3 approval of the Governor and the Council of State.

4 (e) The Department may acquire inholdings or lands adjacent to DuPont State
5 Recreational Forest for recreational purposes, natural resource protection or scenic enjoyment
6 purposes, and other purposes described in G.S. 106-846 as appropriate for a recreational forest,
7 and such acquisitions shall be made in accordance with the provisions of G.S. 106-846.

8 (f) In accordance with subsection (b) of G.S. 106-847, the Department may construct,
9 operate, and maintain within DuPont State Recreational Forest suitable public service facilities
10 and conveniences, and may charge and collect reasonable fees for the use of these facilities and
11 conveniences. The Department may also charge and collect reasonable fees for hunting and
12 fishing privileges in the forest, provided that these privileges shall be extended only to holders
13 of State hunting and fishing licenses who comply with all State game and fish laws.

14 (g) In accordance with subsection (c) of G.S. 106-847, the Department may grant to
15 private individuals or companies concessions for operation of public service facilities for such
16 periods and upon such conditions as the Department deems to be in the public interest.

17 (h) The Department shall adopt rules for operation and management of DuPont State
18 Recreational Forest in consultation with interested parties including, but not limited to, local
19 governments with jurisdiction over the area, the Friends of DuPont Forest, and other
20 stakeholders with interests in the property for recreation and protection of its wildlife
21 populations, water quality, biodiversity, or historical and cultural value.

22 (i) The Department shall report no later than October 1 of each year to the Joint
23 Legislative Commission on Governmental Operations, the House and Senate Appropriations
24 Subcommittees on Natural and Economic Resources, the Fiscal Research Division, and the
25 Environmental Review Commission on the Department's management activities at DuPont
26 State Recreational Forest during the preceding fiscal year and plans for management of DuPont
27 State Recreational Forest for the upcoming fiscal year."''.

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29
30
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SIGNED _____



Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED

