

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 707

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H707-AMH-27 [v.4]

Page 1 of 5

Comm. Sub. [NO]
Amends Title [YES]
First Edition

Date _____, 2013

Senator Brown

1 moves to amend the bill on page 1, line 5, by rewriting the line to read:

2 "NAVIGABLE AND TO CREATE THE OREGON INLET LAND ACQUISITION TASK
3 FORCE.";

4
5 and on page 1, line 35, by rewriting the line to read:

6 "**SECTION 3.1.** There is hereby created the Oregon Inlet Land Acquisition Task
7 Force for the purpose of determining, reviewing, and considering the State's options for
8 acquiring the federal government's right, title, and interest in Oregon Inlet and the real property
9 adjacent thereto, including submerged lands. A more particular description of the property to be
10 acquired is provided in section 3.8 of this act. Acquiring the property described in section 3.8
11 of this act will allow the State to preserve Oregon Inlet and to develop long-term management
12 solutions for preserving and enhancing the navigability of Oregon Inlet, which is both a critical
13 transportation corridor and a critical source of commerce for the State's Outer Banks. The Task
14 Force shall have duties including the following:

- 15 (1) Consulting with the State Property Office and agencies and departments of
16 the federal government, including the United States Department of Fish and
17 Wildlife, United States National Park Service, Congressional Budget Office,
18 and members of the North Carolina congressional delegation to establish the
19 monetary value of Oregon Inlet and the real property adjacent thereto.
20 (2) Determining whether and to what degree the federal government will sell to
21 the State Oregon Inlet and the real property adjacent thereto or exchange the
22 property for State-owned real property. If the federal government expresses
23 a willingness to exchange the property for State-owned property, the Task
24 Force shall determine the identity of the State-owned property and the
25 monetary value of the property.
26 (3) Exploring any and all options for acquiring Oregon Inlet and the real
27 property adjacent thereto, including condemnation of the coastal lands
28 conveyed to the federal government in a deed dated August 7, 1958, and
29 recorded September 3, 1958, in the Dare County Registry of Deeds.
30 (4) Considering any other issues deemed relevant by the Task Force that are
31 related to the acquisition of Oregon Inlet and the real property adjacent
32 thereto.



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1 **SECTION 3.2.** The Task Force shall consist of the following 13 members:

- 2 (1) The Governor or the Governor's designee, who shall be chair.
3 (2) The Commissioner of Agriculture and Consumer Services or the
4 Commissioner's designee.
5 (3) The Secretary of the Department of Administration or the Secretary's
6 designee.
7 (4) The Secretary of the Department of Commerce or the Secretary's designee.
8 (5) The Secretary of the Department of Environment and Natural Resources or
9 the Secretary's designee.
10 (6) The Secretary of the Department of Public Safety or the Secretary's
11 designee.
12 (7) The Secretary of the Department of Transportation or the Secretary's
13 designee.
14 (8) The Attorney General or the Attorney General's designee.
15 (9) Two members of the Senate appointed by the General Assembly upon the
16 recommendation of the President Pro Tempore of the Senate.
17 (10) Two members of the House of Representatives appointed by the General
18 Assembly upon the recommendation of the Speaker of the House of
19 Representatives.
20 (11) The chair of the Dare County Board of Commissioners or the chair's
21 designee.

22 **SECTION 3.3.** The terms of the members appointed under section 3.2 of this act
23 shall commence on July 1, 2013. A vacancy on the Task Force shall be filled by the Governor,
24 except that a vacancy in an appointment by the General Assembly shall be filled by the original
25 appointing authority.

26 **SECTION 3.4.** The Task Force shall meet at the call of the Governor. All members
27 of the Task Force are voting members. A majority of the members of the Task Force constitutes
28 a quorum.

29 **SECTION 3.5.** Members of the Task Force shall receive no compensation for their
30 service, but may receive per diem, travel, and subsistence allowances in accordance with
31 G.S. 120-3.1, 138-5, and 138-6, as appropriate. No State funds shall be appropriated to the Task
32 Force or to any State agency or department for the Task Force.

33 **SECTION 3.6.** The Department of Commerce shall provide staff to the Task
34 Force. All State agencies and departments shall provide assistance to the Task Force upon
35 request.

36 **SECTION 3.7.** By May 1, 2014, the Task Force shall submit a report detailing its
37 findings and recommendations to the Speaker of the House of Representatives, the President
38 Pro Tempore of the Senate, and the General Assembly. The Task Force shall terminate upon
39 the filing of the report required by this section.

40 **SECTION 3.8.** The federally owned property to be acquired by the State shall
41 include all of the federal government's right, title, and interest in the real property, including
42 submerged lands, located within the area described by connecting the following latitude and
43 longitude points:

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| | <u>Latitude:</u> | <u>Longitude:</u> |
|----|------------------|-------------------|
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| | | |
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SECTION 4. This act is effective when it becomes law."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**