

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

FILED SENATE  
Apr 27, 2016  
S.B 769  
PRINCIPAL CLERK

S

D

SENATE BILL DRS15306-MHz-175\* (04/11)

Short Title: Aquatic Weed Control Clarification. (Public)

Sponsors: Senators B. Jackson and Alexander (Primary Sponsors).

Referred to:

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



\* D R S 1 5 3 0 6 - M H Z - 1 7 5 \*

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.