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

Short Title: Aquatic Weed Control Clarification. (Public)

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

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO RENAME AND CLARIFY THE USES OF THE SHALLOW DRAFT
3 NAVIGATION CHANNEL DREDGING AND LAKE MAINTENANCE FUND, AS
4 RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON
5 AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES.

6 The General Assembly of North Carolina enacts:

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

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

10 "**§ 143-215.73F. Shallow Draft Navigation Channel Dredging and ~~Lake Maintenance~~ Aquatic**
11 **Weed Fund.**

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

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

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

24"

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

26 "(c) The Boating Account is established within the Wildlife Resources Fund created under
27 G.S. 143-250. Interest and other investment income earned by the Account accrues to the Account.
28 All moneys collected pursuant to the numbering and titling provisions of this Chapter shall be
29 credited to this Account. Motor fuel excise tax revenue is credited to the Account under
30 G.S. 105-449.126. The Commission shall use revenue in the Account, subject to the Executive
31 Budget Act and the Personnel Act, for the administration and enforcement of this Chapter; for
32 activities relating to boating and water safety including education and waterway marking and
33 improvement; and for boating access area acquisition, development, and maintenance. The
34 Commission shall use at least three dollars (\$3.00) of each one-year certificate of number fee and
35 at least nine dollars (\$9.00) of each three-year certificate of number fee collected under the
36 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.