



HOUSE BILL 234: Reinstate Mtn Island Lake Marine Commission

2015-2016 General Assembly

Committee:	House Local Government	Date:	March 31, 2015
Introduced by:	Rep. Jeter	Prepared by:	Kristen Harris
Analysis of:	PCS to First Edition H234-CSST		Staff Attorney

SUMMARY: *The Proposed Committee Substitute for House Bill 234 would authorize the reinstatement the Mountain Island Lake Marine Commission.*

CURRENT LAW: Article 6 of Chapter 77 of the North Carolina General Statutes addresses the Mountain Island Lake Marine Commission. G.S. 77-71 allows Gaston, Lincoln, and Mecklenburg counties to create the Commission by the adoption of a joint resolution of each of the counties. The Commission, once created, enables Gaston, Lincoln, and Mecklenburg Counties to make regulations applicable to Mountain Island Lake and its shoreline area relating to or affecting the use of the lake.

The Commission is governed by a board of seven appointees. The Boards of Commissioners from Gaston and Mecklenburg Counties appoint three commissioners each and Lincoln County appoints one.

A county may unilaterally withdraw from the Commission. Currently, when a county withdraws, the Commission is dissolved, and property of the Commission must be equitably divided among the three counties and any public agencies serving the area.

BILL ANALYSIS: The PCS would authorize any of the three counties, jointly or separately, to reinstate the Mountain Island Lake Marine Commission by adding a definition for "participating counties" and making necessary conforming changes. The term would mean any combination of Gaston, Lincoln, and Mecklenburg Counties that have adopted a resolution to participate in the Commission and have not withdrawn from the Commission.

The PCS would provide that the participating counties would be authorized to create the Commission. The Commission would be governed by a board of seven as determined by the participating counties. The provisions of any joint resolution could be amended, modified, or rescinded by a subsequent joint resolution made with the unanimous consent of the participating counties.

If a participating county withdraws, the Commission continues with the remaining participating counties, and any property of the withdrawing county must be distributed as determined by all participating counties.

EFFECTIVE DATE: Effective when it becomes law.

BACKGROUND: The Mountain Island Lake Marine Commission was created in 1997 by the North Carolina General Assembly. On June 30, 2014, Gaston County unilaterally withdrew from the Commission which dissolved the Commission.

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Director



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