



SENATE BILL 458: Reinstate Mtn Island Lake Marine Commission.

2021-2022 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: May 11, 2021
Introduced by: Sen. Marcus	Prepared by: Kellette Wade
Analysis of: Second Edition	Staff Attorney

OVERVIEW: *Senate Bill 458 would authorize the reinstatement of the Mountain Island Lake Marine Commission (Commission).*

CURRENT LAW: Article 6 of Chapter 77 of the General Statutes addresses the Commission, and 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.

Once created, the Commission enables Gaston, Lincoln, and Mecklenburg Counties to regulate the Mountain Island Lake and its shoreline area as it relates to or affects the use of the lake.

The Commission is governed by a board of seven appointees. The Boards of Commissioners from Gaston and Mecklenburg Counties each appoint three commissioners, and Lincoln County appoints one. A county may unilaterally withdraw from the Commission which causes its dissolution. Once dissolved, the property of the Commission must be equitably divided among the three counties and any public agencies serving the area.

BILL ANALYSIS: Senate Bill 458 would authorize any two of the three counties (participating county or participating counties) to jointly reinstate the Commission and would make technical and conforming changes.

The Bill would stipulate that, if Lincoln County is not a participating county, the portion of the shoreline area in Lincoln County will not be included in any Commission decision or action.

The Commission would be governed by a board of seven as determined by the participating counties: (a) if there are three participating counties, the Board of Commissioners of each participating county would appoint two members; (b) if there are two participating counties, the Board of Commissioners of each participating county would appoint three members; and (c) in either case, the final member of the Commission would be appointed by agreement of the Boards of Commissioners 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.

The Bill would repeal the Commission's regulatory authority and provide the Commission with the ability to make certain recommendations to certain elected officials and the Wildlife Commission.

EFFECTIVE DATE: Effective when it becomes law.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

Senate Bill 458

Page 2

**Kristen Harris, Staff Attorney with the Legislative Analysis Division, substantially contributed to this Summary.*