



HOUSE BILL 23: Various State and Local Gov't Provisions.

2025-2026 General Assembly

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| Committee: | Senate State and Local Government. If favorable, re-refer to Rules and Operations of the Senate | Date: | May 22, 2025 |
| Introduced by: | Rep. Huneycutt | Prepared by: | Ike McRee |
| Analysis of: | PCS to First Edition H23-CSCO-16 | | Committee Co-Counsel |

OVERVIEW: *The proposed committee substitute (PCS) for House Bill 23 would do the following:*

- *Allow Stanly Community College to operate a culinary program off of the main campus.*
- *Authorize the Gullah Geechee Heritage Trail in Brunswick County.*
- *Provide for the transfer of State property to the Town of Burgaw.*
- *Authorize addition of the South Fork Passage State Trail to the State Parks System as a State trail.*
- *Codify the Lake Norman Marine Commission.*

CURRENT LAW & BILL ANALYSIS:

Part I: Stanly Community College Off Campus Culinary Program

Section 9.15 of S.L. 2017-57 prohibits the Stanly Community College Board of Trustees from operating a culinary school or program at a site other than the main campus of Stanly Community College or using State funds for that purpose.

Part I would repeal Section 9.15 of S.L. 2017-57 thereby allowing Stanly Community College to operate a culinary program at a site that is not located at the main campus of Stanly Community College.

Part II: Gullah Geechee Heritage Trail

The General Assembly must authorize the Department of Natural and Cultural Resources to add new parks to the State Parks System. All additions to the State Parks System must be accompanied by adequate authorization and appropriations for land acquisition, development and operations. G.S. 143B-135.54(b).

Part II would authorize the Gullah Geechee Heritage Trail in Brunswick County and would require the State to support, promote, encourage, and facilitate the establishment of trail segments on State park lands and on other lands. On segments of the Heritage Trail that cross property controlled by agencies or owners other than the State, the laws, rules, and policies of those agencies or owners would control.

Part III: Transfer of State Property to the Town of Burgaw

Article 7 of Chapter 146 of the General Statutes governs disposition of State property and requires that sales of land owned by the State must be made by the Department of Administration and approved by the Governor and Council of State. Article 16 of Chapter 146 of the General Statutes establishes the form of

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conveyances for State property and, within that Article, G.S. 146-74 requires that proposed conveyances to be submitted to the Governor and Council of State for approval.

Part III would require the State of North Carolina to convey to the Town of Burgaw (Town), for one dollar (\$1.00), all its rights, titles, and interests in approximately 11 acres of land to be used for public purposes. The property would revert to the State if it ceased being used for a public purpose and the Town would be required to pay all costs associated with the conveyance of the property. The conveyance of the property to the Town would be exempt from approval of the Governor and Council of State.

Part IV: Authorize South Fork Passage State Trail

Part 32 of Article 2 (Department of Natural and Cultural Resources) of Chapter 143B (Executive Organization Act of 1973) of the General Statutes is known as the State Parks Act. The Act provides that State trails, as components of the State Parks System, may be established by the Department of Natural and Cultural Resources (Department) upon authorization by an act of the General Assembly.

Part IV would:

- Authorize the Department to add the South Fork Passage State Trail (Trail) in Catawba, Lincoln, and Gaston Counties to the State Parks System as a State trail. The Trail, which would run alongside the South Fork River, must begin at the confluence of the Henry Fork and Jacob Fork at Jacob Fork Park and end at the boundary between the State and South Carolina on Lake Wylie.
- Direct the Department to support, encourage, and facilitate the establishment of trail segments on State Park lands and on lands of other federal, State, local, and private landowners. On segments of the Trail that cross property controlled by agencies or owners other than the Department's Division of Parks and Recreation, the laws, rules, and policies of those agencies or owners shall govern the use of the property.
- Exempt the Trail from the requirement that additions be accompanied by adequate appropriations for land acquisition, development, and operations.

Part V: Codify Lake Norman Marine Commission

Chapter 1089 of the 1969 Session Laws (An Act to Establish the Lake Norman Marine Commission) enabled Catawba, Iredell, Lincoln, and Mecklenburg Counties to create by joint resolution the Lake Norman Marine Commission. The Commission regulates all matters relating to or affecting public recreation and water safety on Lake Norman and its shoreline area. The Commission is governed by a board of five commissioners. The Board of Commissioners of Catawba County appoints two commissioners, and Iredell, Lincoln, and Mecklenburg Counties each appoint one commissioner. 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 four counties and any public agencies serving the area.

Part V would codify Chapter 1089 of the 1969 Session Laws (An Act to Establish the Lake Norman Marine Commission), as amended, under Article 6B of Chapter 77 of the General Statutes and do the following:

- Section 5.1.(c) would make various revisions to laws that govern the Commission, which include:
 - Increasing the size of the Commission's governing board, from five members to nine members.
 - Requiring that at least two counties must withdraw from the Commission in order to dissolve the Commission.

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- Prohibiting commissioners from receiving any form of salary, wages, fees, or other forms of compensation for serving as a commissioner.
 - Requiring the Commission to submit budget requests to participating local governments.
 - Authorizing the Commission to require that any person born after January 1, 1988 must complete an approved boating education course to operate a motorized watercraft of 20 horsepower or greater on Lake Norman.
 - Requiring each local government participating in the Commission to incorporate in their local code of ordinances the text of every joint resolution and regulation adopted by the Commission.
 - Expressly authorizing the Commission to assess certain fees related to participating in education, training, or certification services provided by the Commission; use of facilities owned or operated by the Commission; or application for a permit administered by the Commission.
- Section 5.2. would subject individuals serving on the Commission to the State Ethics Act, which would require them to submit a Statement of Economic Interest to the State Ethics Commission.
 - Section 5.3. would make various conforming changes to the statute that governs the membership on the Catawba/Wateree River Basin Advisory Commission.
 - Section 5.4. would provide that any joint resolution or appointments to the Commission made under prior law would expire by September 30, 2025.
 - Section 5.5. would provide that, upon the adoption of a new joint resolution by the participating local governments reconstituting the Commission, all new appointments to the governing board of the Commission would become effective October 1, 2025.
 - Section 5.6. would provide that all rules, regulations, and decisions made by the predecessor Commission would remain in full force and effect until and unless duly modified by the reconstituted Commission.

EFFECTIVE DATE: Except as otherwise provided, the act would be effective when it becomes law.