## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015

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## HOUSE BILL 904 Committee Substitute Favorable 7/30/15

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Short Title: Study Drainage Needs/Low-Lying Areas. (Public) Sponsors: Referred to: April 16, 2015 A BILL TO BE ENTITLED AN ACT TO CREATE THE DRAINAGE IMPROVEMENT STUDY COMMISSION TO IDENTIFY, STUDY, AND RECOMMEND POLICIES TO ENHANCE DRAINAGE AND ALLEVIATE DRAINAGE PROBLEMS IN LOW-LYING COUNTIES. The General Assembly of North Carolina enacts: SECTION 1.(a) There is established the Drainage Improvement Study Commission (Commission). **SECTION 1.(b)** The Commission shall be composed of 15 members as follows: Six members appointed by the Speaker of the House of Representatives, as follows: Two members of the House of Representatives. a. One member of the public representing the North Carolina b. Association of County Commissioners. One member of the public representing forestry interests in the State. c. One member of the public representing owners of riparian property d. threatened by drainage issues. One member representing a drainage district organized under e. Chapter 156 of the General Statutes or a watershed improvement district established under Article 2 of Chapter 139 of the General Statutes. (2) Six members appointed by the President Pro Tempore of the Senate, as follows: Two members of the Senate. a. One member of the public representing the North Carolina League of b. Municipalities. One member of the public representing agricultural interests in the c. State. One member of the public representing owners of coastal property d. threatened by drainage issues. One member who is a member of a trade or occupation with e. knowledge and experience in the design or construction of drainage or stormwater systems and structures. (3) The Director of the Division of Soil and Water Conservation of the Department of Agriculture and Consumer Services, or the Director's



designee.

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The Secretary of the Department of Transportation, or the Secretary's (4) designee.

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(5) The Executive Director of the Wildlife Resources Commission, or the Executive Director's designee.

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SECTION 1.(c) The Commission shall also consult with and request the participation of representatives of the Wilmington District of the United States Army Corps of Engineers and the Natural Resource Conservation Service of the United States Department of Agriculture.

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**SECTION 1.(d)** The Commission shall study the following matters related to the problem of adequate drainage in counties that include areas with an elevation less than 124 feet above sea level (low-lying counties):

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(1) The impact and cost to agriculture, forestry, and property owners from lack of adequate drainage in low-lying counties.

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The legal, regulatory, and financial impediments to resolution of drainage (2) problems in low-lying counties.

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The contribution of beavers to drainage problems and the adequacy of (3) existing programs and funding for beaver control.

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**SECTION 1.(e)** Members of the Commission shall receive per diem, subsistence allowances, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.4. The Commission may meet upon the call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building. With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission.

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All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

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**SECTION 1.(f)** The Commission shall make a final report of its findings and legislative recommendations to the 2016 Regular Session of the 2015 General Assembly. The Commission shall terminate on December 31, 2016, or upon the filing of its final report, whichever occurs first.

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**SECTION 2.** This act is effective when it becomes law.

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