

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1989**

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SENATE BILL 1267

Short Title: Marine Patrol Study Commission.

(Public)

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Sponsors: Senators Barker; Block, Soles, and Basnight.

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Referred to: Rules and Operation of the Senate.

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May 10, 1989

A BILL TO BE ENTITLED

AN ACT TO CREATE THE MARINE PATROL STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The Marine Patrol Study Commission is created. The Commission shall study whether to create a State Marine Patrol similar to the State Highway Patrol to patrol the waters of the State. The Commission shall consider the need for a marine patrol; appropriate powers and duties of marine patrol officers such as preventing crime, enforcing marine resources laws and other laws of the State, making arrests and conducting searches and seizures, making inspections of vessels, and providing search and rescue services; the jurisdiction and authority of the marine patrol and its relationship with other law enforcement agencies; appropriate law enforcement training for marine patrol officers; and any other matters it considers relevant to the study. The Commission shall review and compare the laws of other States that have marine patrols.

Sec. 2. The Commission shall consist of 14 members to be appointed as follows:

- (1) Four members of the Senate appointed by the President Pro Tempore of the Senate, one of whom shall be designated cochair;
- (2) Three public members appointed by the President Pro Tempore of the Senate;
- (3) Four members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall be designated cochair;

1           (4) Three public members appointed by the Speaker of the House of  
2           Representatives.

3           Sec. 3. Members appointed to the Commission shall serve until the  
4 Commission makes its final report. Vacancies on the Commission shall be filled in the  
5 same manner as the original appointments were made.

6           Sec. 4. Upon request of the Commission or its staff, all State departments  
7 and agencies and all local government agencies shall furnish to the Commission or its  
8 staff any information in their possession or available to them.

9           Sec. 5. The Commission shall submit a final report of its findings and  
10 recommendations to the General Assembly on or before the first day of the 1991  
11 Session of the General Assembly, by filing the report with the Speaker of the House of  
12 Representatives and President Pro Tempore of the Senate. If the Commission  
13 recommends changes in the law, its report shall include proposed legislation  
14 implementing its recommendations. The Commission shall terminate upon filing its  
15 final report.

16           Sec. 6. The Commission shall have its initial meeting on or before October  
17 15, 1989. The Commission shall meet upon the call of the cochairs.

18           Sec. 7. Upon approval of the Legislative Services Commission, the  
19 Legislative Services Officer shall assign professional and clerical staff to assist in the  
20 work of the Commission. Clerical staff shall be furnished to the Commission through  
21 the offices of House and Senate supervisors of clerks. The expenses of employment of  
22 the clerical staff shall be borne by the Commission. The Commission may meet in the  
23 Legislative Building or the Legislative Office Building upon the approval of the  
24 Legislative Services Commission.

25           Sec. 8. Members of the Commission shall be paid per diem, subsistence, and  
26 travel allowances as follows:

27           (1) Commission members who are also members of the General  
28           Assembly, at the rate established in G.S. 120-3.1;

29           (2) Commission members who are officials or employees of the State or  
30           local government agencies, at the rate established in G.S. 138-6;

31           (3) All other Commission members at the rate established in G.S. 138-5.

32           Sec. 9. There is appropriated from the General Fund to the General  
33 Assembly the sum of \$20,000 for the 1989-90 fiscal year, and the sum of \$10,000 for  
34 the 1990-91 fiscal year to fund the Marine Patrol Study Commission created by this act.  
35 Funds appropriated for the Commission for the 1989-90 fiscal year but not expended  
36 during that fiscal year may be expended for the Commission during the 1990-91 fiscal  
37 year.

38           Sec. 10. This act shall become effective July 1, 1989.