



CHAPTER 113A

ARTICLE 7 - COASTAL AREA MANAGEMENT

N.C.G.S. § 113A-104.

Coastal Resources Commission.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-136, s. 5.1(a) — fourteenth act in the lineage	21 September 2026, 07:05 UTC	a985af7f010d890668c3e94f - 274e8d4d6286a6482321c736 - 72ca280b1d02b76f

§ 113A-104(a) Established. - The General Assembly hereby establishes within the Department of Environmental Quality a commission to be designated the Coastal Resources Commission.

§ 113A-104(b) Repealed by Session Laws 2013-360, s. 14.24(a), effective July 1, 2013.

§ 113A-104(b1) Composition. - The Coastal Resources Commission shall consist of 13 members as follows:

- (1) One appointed by the Governor who shall at the time of appointment be a coastal property owner or experienced in land development.
- (2) Repealed by Session Laws 2023-136, s. 5.1(a), effective October 10, 2023.
- (3) One appointed by the Governor who shall at the time of appointment be actively connected with or have experience in engineering in the coastal area or a marine-related science.
- (4) One appointed by the Governor who shall at the time of appointment be actively connected with or have experience in engineering in the coastal area or a marine-related science.
- (5) Repealed by Session Laws 2023-136, s. 5.1(a), effective October 10, 2023.
- (6) One appointed by the Governor who shall at the time of appointment be actively connected with or have experience in local government within the coastal area.

- (7) Repealed by Session Laws 2023-136, s. 5.1(a), effective October 10, 2023.
- (8) One appointed by the Governor who shall at the time of appointment be actively connected with or have experience in commercial fishing.
- (9) One appointed by the Governor who shall at the time of appointment be actively connected with or have experience in coastal forestry.
- (9a) One appointed by the Commissioner of Insurance who shall at the time of appointment be a coastal property owner or experienced in land development.
- (10) One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121 who shall at the time of appointment be actively connected with or have experience in sports fishing.
- (11) One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121 who shall serve at large.
- (11a) One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121 who shall serve at large.
- (12) One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121 who shall at the time of appointment be actively connected with or have experience in wildlife.
- (13) One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121 who shall serve at large.
- (13a) One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121 who shall serve at large.

§ 113A-104(c)

Appointment of Members. - As used in this section, the term "appointing authority" means the Governor in the case of members appointed by the Governor, the Commissioner of Insurance in the case of the member appointed by the Commissioner of Insurance, and means the General Assembly in the case of members appointed by the General Assembly. Appointments to the Commission shall be made to provide knowledge and experience in a diverse range of coastal interests. The members of the

Commission shall serve and act on the Commission solely for the best interests of the public and public trust, and shall bring their particular knowledge and experience to the Commission for that end alone. Counties and cities in the coastal area may designate and transmit to the appointing authorities no later than May 1 of each even-numbered year qualified persons in the categories set out in subsection (b1) of this section corresponding to the Commission positions to be filled that year.

§ 113A-104(c1) **Restriction on Certain Members.** - The members of the Commission whose qualifications are described in subdivisions (3), (6), (8), (9), (11), and (12) of subsection (b1) of this section shall be persons who do not derive any significant portion of their income from land development, construction, real estate sales, or lobbying and do not otherwise serve as agents for development-related business activities.

§ 113A-104(c2) **Ethics.** - All members of the Commission are covered persons for the purposes of Chapter 138A of the General Statutes, the State Government Ethics Act. As covered persons, members of the Commission shall comply with the applicable requirements of the State Government Ethics Act, including mandatory training, the public disclosure of economic interests, and ethical standards for covered persons. Members of the Commission shall comply with the provisions of the State Government Ethics Act to avoid conflicts of interest. The Governor may require additional disclosure of potential conflicts of interest by the members described in subsection (c1) of this section. The Governor may promulgate criteria regarding conflicts of interest and disclosure thereof for determining the eligibility of persons described in subsection (c1) of this section.

§ 113A-104(d) Repealed by Session Laws 2013-360, s. 14.24(a), effective July 1, 2013.

§ 113A-104(e) Repealed by Session Laws 2013-360, s. 14.24(a), effective July 1, 2013.

§ 113A-104(f) **Office May Be Held Concurrently with Others.** - Membership on the Coastal Resources Commission is hereby declared to be an office that may be held concurrently with other elective or appointive offices in addition to the maximum number of offices permitted to be held by one person under G.S. 128-1.1.

§ 113A-104(g) **Terms.** - The members shall serve staggered terms of office of four years. At the expiration of each member's term, the appointing authority shall reappoint or replace the member with a new member of like qualification as specified in subsection (b1) of this section.

- § 113A-104(h)** Vacancies. - In the event of a vacancy arising otherwise than by expiration of term, the appointing authority shall appoint a successor of like qualification as specified in subsection (b1) of this section who shall then serve the remainder of his predecessor's term.
- § 113A-104(i)** Officers. - The chairman and vice-chairman shall be elected by and from the members of the Commission and shall serve for a term of two years or until the expiration of their regularly appointed terms.
- § 113A-104(j)** Compensation. - The members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.
- § 113A-104(k)** Repealed by Session Laws 2013-360, s. 14.24(a), effective July 1, 2013.
- § 113A-104(l)** Attendance. - Regular attendance at Commission meetings is a duty of each member. The Commission shall develop procedures for declaring any seat on the Commission to be vacant upon failure by a member to perform this duty.
- § 113A-104(m)** Quorum. - A majority of the Commission shall constitute a quorum.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
14 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

Nº	YEAR	ACT	CHARACTER
01	1973	c. 1284, s. 1	ENACTED
02	1975	c. 452, s. 5	AMENDED
03	1977	c. 771, s. 4	AMENDED
04	1977	c. 486, ss. 1-6	AMENDED

05	1981	c. 932, s. 2.1	AMENDED
06	1989	c. 505	AMENDED
07	1989	c. 727, s. 218(64)	AMENDED
08	1997	S.L. 1997-443, s. 11A.119(a)	AMENDED
09	2013	S.L. 2013-360, s. 14.24(a)	AMENDED
10	2015	S.L. 2015-9, s. 1.3	AMENDED
11	2015	S.L. 2015-241, s. 14.30(u)	AMENDED
12	2017	S.L. 2017-6, s. 3	AMENDED
13	2018	S.L. 2018-146, ss. 3.1(a), (b), 6.1	AMENDED
14	2023	S.L. 2023-136, s. 5.1(a)	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 120-121	(b1)(10)	"House of Representatives in accordance with"
G.S. 128-1.1	(f)	"be held by one person under"
G.S. 138-5	(i)	"in accordance with the provisions of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 113A-104 (2023).

PINPOINT

N.C. Gen. Stat. § 113A-104(a) (2023).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 1284, s. 1; 1975, c. 452, s. 5; 1977, c. 771, s. 4; c. 486, ss. 1-6; 1981, c. 932, s. 2.1; 1989, c. 505; c. 727, s. 218(64); 1997-443, s. 11A.119(a); 2013-360, s. 14.24(a); 2015-9, s. 1.3; 2015-241, s. 14.30(u); 2017-6, s. 3; 2018-146, ss. 3.1(a), (b), 6.1; 2023-136, s. 5.1(a).)

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