

Topsail Island Shoreline Protection Legislative Update October 2017

Coastal Storm Mitigation Fund

The General Assembly will resume their long session for the third time since they recessed on June 30th. On the agenda is the veto override for H56 Amend Environmental Laws, which includes the language below for the “Coastal Storm Damage Mitigation Fund”. There is no appropriation in the bill for the new fund. Sixty-One Republicans voted for the bill, which is short of the number needed for an override, but many legislators were absent. The result of the override will depend on who present. Staff and legislators have been contacted on the importance of this language for support from the federal government as they put together their language.

This bill also includes initial funding for the Wilmington area GenX issue. One of the main reasons why the Governor vetoed the bill was due to the fact that no money was appropriated to DEQ for the effort.

"Part 8D. Coastal Storm Damage Mitigation Fund.

"§ 143-215.73M. Coastal Storm Damage Mitigation Fund.

(a) Fund Established. – The Coastal Storm Damage Mitigation Fund is established as a

special revenue fund. The Fund consists of General Fund appropriations, gifts, grants, devises, monies contributed by a non-State entity for a particular beach nourishment or damage mitigation project or group of projects, and any other revenues specifically allocated to the Fund by an act of the General Assembly.

(b) Uses of the Fund. – Revenue credited to the Fund may only be used for costs associated with beach nourishment, artificial dunes, and other projects to mitigate or remediate coastal storm damage to the ocean beaches and dune systems of the State.

(c) Conditions on Funding. – Any project funded by revenue from the Fund must be cost-shared with non-State dollars on a basis of at least one non-State dollar for every one dollar from the Fund.

(d) Return of Non-State Entity Funds. – Non-State entities that contribute to the Fund for a particular project or group of projects may make a written request to the Secretary that the contribution be returned if the contribution has not been spent or encumbered within two years of receipt of the contribution by the Fund. If the written request is made prior to the funds being spent or encumbered, the Secretary shall return the funds to the entity within 30 days after the later of (i) receiving the request or (ii) the expiration of the two-year period described by this subsection."

Disaster Funding

The newly formed House Select Committee on Disaster Relief is expected to have a called meeting in early October. This Committee is in addition to the Joint Emergency Management Oversight Commission, which will also be handling some of the same issues.

The Goldsboro paper reports that, "The committee will be updated on the Disaster Recovery Acts of 2016 and 2017. It also will study the state's infrastructure and regulations as they pertain to flood relief and study a proposed recommendation to prevent future flooding in eastern North Carolina. The committee will look also at where the funding from \$300 million in appropriations has been spent, and make sure all of the departments have allocated the funds that have been sent to them, Bell said.

"Before we go into the short session in May 2018, the committee will actually make a recommendation on how to proceed," Bell said. "So we will make this recommendation to the full legislative oversight committee." That could be followed by more legislation, should more funding be needed, he said

Other Issues For The October 4th Session That May Be Considered

- Judicial redistricting
- Budget technical corrections
- Conference reports on bills
- Appointments

Final Note

With the resignation of Rep. Chris Millis I want to publicly comment that Rep. Millis was a very effective legislator for Topsail Island. He will be sorely missed and his work in the General Assembly is great appreciated and will not be forgotten.

**Connie Wilson
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