

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

2

HOUSE BILL 2353
Committee Substitute Favorable 6/28/90

Short Title: CAMA Fees.

(Public)

Sponsors:

Referred to:

June 6, 1990

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH FEES FOR PROCESSING APPLICATIONS FOR
3 PERMITS AND TO IMPROVE PERMIT PROCESSING AND COMPLIANCE
4 UNDER THE COASTAL AREA MANAGEMENT ACT.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 113A-119(a) reads as rewritten:

7 "(a) Any person required to obtain a permit under this Part shall file with the
8 Secretary and (in the case of a permit sought from a city or county) with the designated
9 local official an application for a permit in accordance with the form and content
10 designated by the Secretary and approved by the Commission. The applicant must
11 submit with the application a check or money order payable to the Department or the
12 city or county, as the case may be, constituting a reasonable fee (not to exceed twenty five
13 dollars (\$25.00) for a minor development permit and not to exceed one hundred dollars
14 (\$100.00) for a major development permit) set by the Commission to cover the administrative
15 costs in processing the said application, pursuant to G.S. 113A-119.1."

16 Sec. 2. Article 7 of Chapter 113A of the General Statutes is amended by
17 adding a new section to read:

18 "**§ 113A-119.1. Permit Fees.**

19 (a) The Commission shall have the power to establish a graduated fee schedule
20 for the processing of applications for permits, renewal of permits, modification of
21 permits or transfers of permits issued pursuant to this Article. In determining the fee
22 schedule, the Commission shall consider the administrative and personnel costs incurred
23 by the Department for processing such applications and for related compliance activities
24 and the complexity of the development sought to be undertaken for which a permit is
25 required under this Article. The fee to be charged for processing an application may not
26 exceed four hundred dollars (\$400.00). The total funds collected from fees authorized

1 by the Commission pursuant to this section in any fiscal year shall not exceed thirty-
2 three and one-third percent (33 1/3%) of the total personnel and administrative costs
3 incurred by the Department for permit processing and compliance programs within the
4 Division of Coastal Area Management.

5 (b) There is established a separate nonreverting account within the Department of
6 Environment, Health, and Natural Resources. The account shall be used to the extent
7 appropriated by the General Assembly for allocations to the Department of
8 Environment, Health, and Natural Resources to: (i) defray the expenses of any project
9 or program, including educational programs, supporting the permitting and compliance
10 activities under this Article and (ii) establish additional permanent positions, under the
11 Personnel Act, for permitting and compliance activities under this Article, all
12 application fees collected pursuant to this section shall be deposited in the account.

13 (c) The Department shall make an annual report to the Joint Legislative
14 Commission on Governmental Operations and the Fiscal Research Division on the cost
15 of the permit program authorized under this Article. The report shall include the fees
16 established and collected under this section and any other information requested by the
17 General Assembly."

18 Sec. 3. This act is effective upon ratification.