

The Evans Report

By
Rep. Charles D. Evans



The pace of the 1983 Session of the General Assembly continues to gain momentum as we move into the sixth week of the Session. Most all of the committees in the House are now meeting on a regular basis to consider the bills that have been introduced by various members of the General Assembly. If this Session is anything like the previous ones in which I have served, this pace will gradually increase as we move further into the long Session.

I continue to receive a tremendous amount of correspondence concerning the proposed revisions to the laws dealing with drinking drivers. As you know, the Judiciary III Committee in the House, of which I am vice chairman, continues to consider the bill in its regular meeting sessions of twice a week in addition to special sessions. Also the chairman of the Judiciary III Committee, Rep. Martin Lancaster of Wayne County, has appointed me as chairman of a subcommittee to consider specifically the Dram Shop Provisions of the proposals. I am working hard on the Dram Shop Provisions to hopefully insure that the effected establishments are treated fairly and that an unreasonable burden is not placed upon them.

Gov. Hunt considers the Dram Shop Provision to be a very important part of the overall comprehensive package dealing with drinking drivers. There have been some rather important changes in the original proposal concerning the Dram Shop Provision and I expect that there may be some more before the final version is considered by the House of Representatives. I welcome any comments dealing with the Dram Shop Provision in particular and any other comments concerning the other proposals concerning drinking drivers.

I would like to devote the remainder of this legislative report to the subject of the Coastal Area Management Act. As a result of a resolution which was passed by the 1981 General Assembly, the Legislative Research Com-

mission of our General Assembly authorized a study to be undertaken on the various aspects of the Coastal Area Management Act which was passed by the General Assembly in 1974. As many of you already know, it covers the 20 coastal counties of our state, including most of the counties of the First House District. During the committee's deliberations, and as a result of additional funds that were appropriated to our Study Commission, we were able to hold several public hearings in the coastal area to hear from interested parties concerning the Coastal Area Management Act.

Sen. Melvin Daniels of Pasquotank County and I served as co-chairmen of this Study Commission. As a result of our committee's deliberation and as a result of the input we received at the public hearings held in Wilmington, Morehead City, and Manteo, our Study Commission recommended 13 suggestions for legislation during the 1983 Session. These 13 bills, designated House Bills 220-232, were filed in the House last week. They have been sent to the House Committee on Natural & Economic Resources for consideration.

A brief explanation of these bills, I think, will be informative and interesting because the Coastal Area Management Act does affect, in some situation, what we can do with our land in the coastal area. Several of the bills are somewhat technical in nature, primarily because the Act itself is rather technical in nature of necessity. The members of the Study Commission believe that the very popular ocean beach access program should be extended to include estuarine water beaches as well as ocean beaches. This program has been very popular because the State has made money available for purchase of properties that are deemed desirable and important for public beach access and also can be used particularly for the lands that may have been adversely affected by the State regulations. This bill

would allow estuarine water beach land similarly effected to be acquired by the State assuming that there are monies available.

Another one of the bills reduces the time allowed for the Coastal Resources Commission and the local governments who are involved in permit applications for them to consider these applications for development. Most people seem to support the process by which permits are applied for and considered, but many people are concerned at the length of time that it sometimes takes.

Another very important proposal, in my opinion, is the bill which would create a tax credit for coastal lands that are donated to the State. These are lands that are affected by the regulations of the Coastal Area Management Act, and it applies to lands owned by corporations

Destructive Fires

Continued From Page 3-A and marsh land.

"Every time we lose trees in North Carolina, we lose dollars," said H. J. "Boe" Green, director of the Forest Resources Division in the Department of Natural Resources and Community Development. "Last year, damage to commercial forest lands alone amounted to over \$24-million. It's a productive natural resource we can't afford to lose."

While forest fires can occur at almost any time, in any month, the most devastating are on dry, windy days, generally in the spring.

Green explained that during the winter, there is no shade on the forest floor. The bright sunny days and strong winds combine to take moisture out of dead vegetation and brush. As the weather warms, people become more active outside. And it is people who start the fires.

The leading cause of forest fires, according to Green, is careless debris burning. This includes burning trash and brush piles, field burning, and burning in trash barrels. Over 42 per cent of last year's forest fires were caused by careless debris burning.

The second major cause of forest fires is incendiarism. The deliberate burning of someone else's woodland. Often called woods arson, this crime accounted for 22 per cent of the forest fires in North Carolina in 1982. The 1981 General Assembly stiffened the penalties for this crime. Those found guilty of incendiarism can now be sentenced up to ten years in prison, fined up to \$5,000, or both.

"When people ignore the law and fail to take precautions, a forest fire is often the result," said Green. "However, as long as folks obtain burning permits and do not burn on dry, windy days, there is usually no problem. A lot of unnecessary damage to our forest resources can be avoided."

as well as individuals. This matter will receive considerable discussion, I am sure, and I believe that it may be wise to consider extending it to include a tax credit for lands that may be set aside through easements for use by the public and still remain in private ownership and allow a tax credit to the owner. There are several ways to approach this subject, and I am hopeful that the General Assembly will consider it favorably because of the obvious benefits that would be created by it. It would also encourage private owners to make their lands available for use by the public.

Another area that the Study Commission believes should be considered is the application process for water quality permits in our State. As you realize, one of the intentions behind the passage of the Coastal Area Management Act was to clean up our waters in the coastal area and keep them from becoming polluted which, of course, would have an adverse effect on our fisheries as well as our tourist oriented economies.

This bill would allow the Coastal Resources Commission and the Office of Coastal Management to have input into the consideration of water quality permits that are issued in other parts of the State on water bodies that do have an effect on coastal waters. In other words, if we are going to make an all-out effort to clean up our waters, then others who are contributing to pollution outside the coastal area should have the same stringent requirements. We want the polluters upstream to meet the restrictions that are imposed on the users in the coastal area.

One of the more controversial measures recommended by the Study Commission is the provision to bring massive land conversion activities and peat mining under the oversight of the Coastal Resources Commission. At the present time, agricultural and forest activities are exempted from the definition of "development" for purposes of the Coastal Area Management Act. Many of these activities should be excluded, I believe, from the purview of the Coastal Area Management Act. Rep. Harry Payne of New Hanover County feels strongly that the massive land conversions and peat mining should be under the purview of CAMA. However, on the other side, there is a strong feeling that the present regulations in effect in our State provide ample coverage for these activities. I am sure that this matter will attract considerable attention to the deliberations of the Natural & Economic Resources Committee.

The other bills, as I have said, deal with technical changes which are I believe, supported by most people and will improve the Coastal Area Management Act and its operation.

Most all the recommendations made by the Study Commission on the Coastal Area Management Act were as a result of suggestions at the public hearings that were held in the coastal areas. The meetings were well attended, and the participants overwhelmingly support a reasonable coastal management program. It is my intention, however, to continue to address those areas of concern that are raised by interested parties in the coastal areas. I welcome any comments about these particular measures discussed above and any other thing that may be of concern to the citizens of the First House District.

Rep. Harry Payne, D-New Hanover, who served on the study committee with Evans, said fishermen had complained about farm runoff polluting coastal waters while others had worried about that converting wetlands into huge farms could hurt wildlife.

Any industry as sturdy as agriculture can withstand the type of scrutiny we plan," said Payne.

Peat mining, he added, is relatively new to the area and there's no time like the present for creating a mechanism to gauge its effect on the environment.

But Davis said there's neither manpower nor money enough to expand the Coastal Resources Commission's jurisdiction. He said this year's proposed budget calls for a 35 per cent cut in coastal operations, and "we're fighting just to keep that."

"We have to be realistic, and we just don't have the money," he said.

Evans and Payne said they were aware of NRCD objections to the proposal and that they mainly were interested in hearing the issue debated.

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Peat Mining

Continued From Page 3-A

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Employees of the New Bern Pulp Mill and Sawmill operations are being given free voluntary medical examinations in order to identify any unknown individual health problems or potential problems.

The purpose is to discover minor problems early in order to control them and keep them from becoming major health problems.

The tests are a screening program that will build a written medical history for employees, and will include a vita signs checkup, vision and hearing testing, blood and other tests and pulmonary functions testing.

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Obituary

Mrs. Fannie B. Bunch

Mrs. Fannie Byrum Bunch, age 90, of Rt. 1, Edenton, died Monday in Unit B of Chowan Hospital following an extended illness. A native of Chowan County, she was the daughter of the late Frank V. and Mrs. Martha Boyce Byrum and the wife of the late Miles E. Bunch. A homemaker, she was a member of Rocky Hook Baptist Church.

Survivors include two sisters, Mrs. Helen Mansfield of Hertford; and Mrs. Pattle Peele of Norfolk, Va.; one brother, Jesse Byrum of Norfolk, Va. and several nieces and nephews.

Funeral services were conducted Wednesday at 2:00 P.M. in the Rocky Hook Baptist Church by the Rev. Donald Wagner.

Burial followed in the Byrum Family Cemetery, Rt. 1, Edenton, with Williford-Barham Funeral Home in charge of arrangements.

IRS

What if a person was due a Federal refund check from IRS and did not receive it, or received an IRS notice and did not understand it?

These are two examples of problems the IRS can help resolve. If a person needs assistance regarding a Federal tax matter, professionally trained telephone assistants are standing by to offer courteous, prompt assistance. North Carolinians may call toll-free, 1-800-822-8800, weekdays from 8 A.M. to 4:30 P.M.

If a person feels it is necessary to speak to someone face-to-face, the IRS has ten offices throughout the state that offer tax assistance weekdays from 10 A.M. to 3:30 P.M. Call toll-free, 1-800-822-8800, for cities and addresses where IRS assistance is available. This number is subject to monitoring to ensure prompt, courteous, and accurate responses.



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PUBLIC HEARING

A Public Hearing is to be conducted March 7, 1983 at 9:30 A.M. in the Chowan County Courthouse for the purpose of considering a request to be submitted to the Wildlife Resources Commission designating certain waters abutting the Cape Colony subdivision as "No Wake" and "Recreational" zones. Maps designating these areas can be viewed at the County Manager's Office.

COMMUNITY ANNUAL AUCTION SALE

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10:00 A. M.

SALE LOCATION: VALHALLA PRODUCE COMPANY
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AUCTIONEERS: JACK REVELLS & CARROLL "FROGGY" PEELE

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DOUBLE COUPON DAYS

Thursday, Friday, Saturday, and Sunday, February 24, 25, 26, and 27, TG&Y of Edenton will honor manufacturers coupons for double their face value, if the item that is called for on the coupon is carried in our store, and you purchase that item. Just another way we prove that day in and day out your value advantage store is TG&Y. No substitution will be allowed and coupons will not be exchanged for cash.

Offer not good on FREE item coupons or tobacco products.