**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48‑39‑45 SO AS TO CREATE THE COASTAL ZONE MANAGEMENT ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OFFICE OF OCEAN AND COASTAL RESOURCES MANAGEMENT, TO PROVIDE FOR THE COMPOSITION, MANNER OF SELECTION, AND TERMS OF THE COUNCIL, TO PROVIDE THE DUTIES OF THE COUNCIL, AND TO PROVIDE ADVICE AND COUNSEL OF THE COUNCIL IS NOT BINDING ON THE DEPARTMENT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 39, Title 48 of the 1976 Code is amended by adding:

“Section 48‑39‑45. (A)(1) On July 1, 2010, there is created the Coastal Zone Management Advisory Council that consists of fourteen members, which shall act as an advisory council to the department’s Office of Ocean and Coastal Resources Management.

(2) The members of the council must be constituted as follows:

(a) eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; and

(b) six members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote.

(3) The council shall elect a chairman, vice chairman, and other officers it considers necessary.

(B) Terms of all members are for four years and until successors are appointed and qualified. A vacancy must be filled in the original manner of selection for the remainder of the unexpired term.

(C)(1) The council shall provide advice and counsel to the staff of the Office of Ocean and Coastal Resources Management in implementing the provisions of the South Carolina Coastal Zone Management Act. The department and the public may bring a matter concerning implementation of the provisions of this act by operation of its permitting and certification process, including the promulgation of regulations, to the council’s attention.

(2) The council shall meet at the call of the chairman.

(3) Advice and counsel of the council is not binding on the department.”

SECTION 2. This act takes effect upon approval by the Governor.

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