

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 460

Committee Substitute Favorable 4/15/97

Committee Substitute #2 Favorable 4/30/97

Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/19/97

Short Title: Abolish Aquariums Commission/AB.

(Public)

Sponsors:

Referred to: Finance.

March 10, 1997

A BILL TO BE ENTITLED

AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ADOPT ENTRANCE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS.

The General Assembly of North Carolina enacts:

Section 1. Part 28 of Article 7 of Chapter 143B of the General Statutes is repealed.

Section 2. G.S. 143B-289.19 is recodified by transferring it from Part 5A of Article 7 of Chapter 143B of the General Statutes to Part 5B of Article 7 of Chapter 143B of the General Statutes and reads as rewritten:

"§ 143B-289.19. ~~Office of Marine Affairs~~Division of North Carolina Aquariums – creation.

~~There~~The Division of North Carolina Aquariums is created in the Department of Administration ~~the Office of Marine Affairs.~~Environment, Health, and Natural Resources."

Section 3. G.S. 143B-289.20 reads as rewritten:

1 **"§ 143B-289.20. ~~Office of Marine Affairs~~Division of North Carolina Aquariums –**  
2 **organization; powers and duties.**

3 (a) The ~~Office~~Division of North Carolina Aquariums shall be organized as  
4 prescribed by the Secretary ~~of the Department~~ of Environment, Health, and Natural  
5 Resources and shall exercise the following powers and duties:

6 (1) Repealed by Session Laws 1991, c. 320, s. 3.

7 (1a) ~~To establish~~Establish and maintain the North Carolina ~~Aquariums;~~  
8 Aquariums.

9 (1b) ~~To administer~~Administer the operations of the North Carolina  
10 Aquariums, such administrative duties to include, but not be limited to  
11 the following:

12 a. Adopt goals and objectives for the Aquariums and review and  
13 revise these goals and objectives ~~periodically;~~periodically.

14 b. Review and approve requests for use of the Aquarium facilities  
15 and advise the Secretary ~~of the Department~~ of Environment,  
16 Health, and Natural Resources on the most appropriate use  
17 consistent with the goals and objectives of the ~~Aquariums;~~  
18 Aquariums.

19 c. Continually review and evaluate the types of projects and  
20 programs being carried out in the Aquarium facilities and  
21 determine if the operation of the facilities is in compliance with  
22 the established goals and ~~objectives;~~objectives.

23 d. Recommend to the Secretary ~~of the Department~~ of Environment,  
24 Health, and Natural Resources any policies and procedures  
25 needed to assure effective staff performance and proper liaison  
26 among Aquarium facilities in carrying out the overall purposes of  
27 the Aquarium ~~programs;~~programs.

28 e. Review Aquarium budget submissions to the Secretary ~~of the~~  
29 ~~Department~~ of Environment, Health, and Natural ~~Resources;~~  
30 Resources.

31 f. Recruit and recommend to the Secretary ~~of the Department~~ of  
32 Environment, Health, and Natural Resources candidates for the  
33 positions of directors of the ~~North Carolina Aquariums;~~ ~~and~~  
34 Aquariums.

35 g. Create local advisory committees in accordance with the  
36 provisions of G.S. 143B-289.22.

37 (2), (3) Repealed by Session Laws 1993, c. 321, s. 28(e).

38 (4) to (6) Repealed by Session Laws 1991, c. 320, s. 3.

39 (7) Assume any other powers and duties assigned to it by the Secretary.

40 (b) The Secretary may adopt any rules and procedures necessary to implement this  
41 section."

42 Section 4. G.S. 143B-289.22 reads as rewritten:

43 **"§ 143B-289.22. Local advisory committees; duties; membership.**

1 Local advisory committees created pursuant to G.S. 143B-289.20(a)(1b) shall assist  
2 each North Carolina Aquarium in its efforts to establish projects and programs and to  
3 assure adequate citizen-consumer input into those efforts. Members of these committees  
4 shall be appointed by the Secretary of the ~~Department~~ of Environment, Health, and Natural  
5 Resources for three-year terms from nominations made by the Director of the Office of  
6 Marine Affairs. Each committee shall select one of its members to serve as chairperson.  
7 Members of the committees shall serve without compensation for services or expenses."

8 Section 5. Part 5B of Article 7 of Chapter 143B of the General Statutes is  
9 amended by adding a new section to read:

10 "**§ 143B-289.23. North Carolina Aquariums; fees; fund.**

11 (a) Fees. – The Secretary of Environment, Health, and Natural Resources may  
12 adopt a schedule of uniform entrance fees for the North Carolina Aquariums.

13 (b) Fund. – The North Carolina Aquariums Fund is hereby created as a special and  
14 nonreverting fund. The North Carolina Aquariums Fund shall be used only for repair,  
15 maintenance, and educational exhibit construction at existing aquariums and to match  
16 private funds that are raised for these purposes.

17 (c) Disposition of Fees. – All entrance fee receipts shall be credited to the North  
18 Carolina Aquariums Fund. The Secretary of Environment, Health, and Natural  
19 Resources may expend monies from the North Carolina Aquariums Fund only upon the  
20 authorization of the General Assembly."

21 Section 6. G.S. 143B-279.3(b)(23) is repealed.

22 Section 7. G.S. 120-123(59) is repealed.

23 Section 8. This act is effective when it becomes law.