

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

Short Title: Abolish Aquariums Commission/AB.

(Public)

Sponsors:

Referred to:

March 10, 1997

A BILL TO BE ENTITLED

AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH AND REVISE 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 Part 28 of Article 7 of Chapter 143B of the General Statutes is repealed.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 moved 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~~North Carolina Aquariums – creation.

There is created in the Department of ~~Administration~~ ~~the Office of Marine Affairs~~ Environment, Health, and Natural Resources a division to be known as the North Carolina Aquariums."

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

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

1 (a) The ~~Office~~ division shall be organized as prescribed by the Secretary of the  
2 ~~Department~~ of Environment, Health, and Natural Resources and shall exercise the  
3 following powers and duties:

4 (1) Repealed by Session Laws 1991, c. 320, s. 3.

5 (1a) ~~To establish~~ Establish and maintain the North Carolina ~~Aquariums;~~  
6 Aquariums.

7 (1b) ~~To administer~~ Administer the operations of the North Carolina  
8 Aquariums, such administrative duties to include, but not be limited to  
9 the following:

10 a. Adopt goals and objectives for the Aquariums and review and  
11 revise these goals and objectives ~~periodically;~~ periodically.

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

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

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

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

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

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

35 (2), (3) Repealed by Session Laws 1993, c. 321, s. 28(e).

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

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

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

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

41 "**§ 143B-289.22. Local advisory committees; duties; membership.**

42 Local advisory committees created pursuant to G.S. 143B-289.20(a)(1b) shall assist  
43 each North Carolina Aquarium in its efforts to establish projects and programs and to

1 assure adequate citizen-consumer input into those efforts. Members of these committees  
2 shall be appointed by the Secretary ~~of the Department~~ of Environment, Health, and Natural  
3 Resources for three-year terms from nominations made by the Director of the Office of  
4 Marine Affairs. Each committee shall select one of its members to serve as chairperson.  
5 Members of the committees shall serve without compensation for services or expenses."

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

8 "**§ 143B-289.23. North Carolina Aquariums; fees; fund.**

9 (a) Fees. – The Secretary of Environment, Health, and Natural Resources and the  
10 North Carolina Aquariums may establish and revise a schedule of uniform fees for the  
11 North Carolina Aquariums.

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

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

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

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

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