

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 132

Short Title: N.C. Park Authority.

(Public)

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Sponsors: Senators Sherron, Allran, Cochrane, Kaplan, Shaw; Basnight, Carpenter, Johnson, Odom, Perdue, Plexico, Plyler, Sands, Staton, Tally, and Warren.

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Referred to: Travel and Tourism and Cultural Resources.

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February 20, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A NORTH CAROLINA PARK AUTHORITY TO  
3 MANAGE A PARK FUND FOR LAND ACQUISITION AND CAPITAL  
4 PROJECTS AT STATE PARKS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 143B of the General Statutes is amended by adding the  
7 following new Part to read:

8 **"PART 13A.**

9 **"NORTH CAROLINA PARK AUTHORITY.**

10 **"§ 143B-313.1. North Carolina Park Authority; creation; powers and duties.**

11 There is created the North Carolina Park Authority of the Department of  
12 Environment, Health, and Natural Resources. The North Carolina Park Authority shall  
13 have the following functions and duties:

- 14 (1) To manage the North Carolina Park Fund as established by G.S. 143B-  
15 313.3;  
16 (2) To receive public and private donations, appropriations, grants, and  
17 bequests for deposit into the Park Fund;  
18 (3) To issue revenue bonds of the Park Authority to finance land  
19 acquisition or capital repairs or improvements or facility construction  
20 for the parks and recreation areas, except for the recreation areas that  
21 are leased;  
22 (4) To advise on land acquisition and priorities relating to land  
23 acquisition;

- 1           (5) To advise on the repairs, renovations, improvements, facility  
2 construction, and other capital projects;  
3           (6) To solicit financial and material support from public and private  
4 sources;  
5           (7) To develop effective public and private support for the programs and  
6 operations of the parks and recreation areas; and  
7           (8) To consider and advise the Secretary of Environment, Health, and  
8 Natural Resources on any matter the Secretary may refer to it.

9 **"§ 143B-313.2. North Carolina Park Authority; members; selection; compensation;**  
10 **meetings.**

11           (a) The North Carolina Park Authority shall consist of 12 members, one from  
12 each of the 12 Congressional districts, who are knowledgeable about the North Carolina  
13 Park System or with expertise in finance. All members shall be appointed by the  
14 Governor. The Governor shall appoint one of the members to be the chair of the  
15 Authority. Vacancies shall be filled by appointment of the Governor, and the term shall  
16 be for the balance of the unexpired term. The Park Authority shall meet at a time and  
17 place as designated by the chair.

18           (b) One-third of the initial appointees shall serve a one-year term, one-third of  
19 the initial appointees shall serve a two-year term, and one-third of the initial appointees  
20 shall serve a three-year term. Thereafter, all members shall be appointed for terms of  
21 three years. Except for the initial appointees, members shall serve no more than two  
22 terms.

23           (c) The members of the Park Authority shall receive per diem and necessary travel  
24 and subsistence expenses according to the provisions of G.S. 138-5.

25           (d) A majority of the Park Authority shall constitute a quorum for the transaction  
26 of business.

27           (e) All clerical and other services required by the Park Authority shall be  
28 provided by the Secretary of the Department of Environment, Health, and Natural  
29 Resources.

30 **"§ 143B-312.3. North Carolina Park Fund.**

31           (a) There is created a special and nonreverting fund to be known as the North  
32 Carolina Park Fund. The North Carolina Park Fund shall be used only for land  
33 purchases, repairs, renovations, and facility construction at the State park and recreation  
34 areas. Public and private donations, appropriations, grants, and bequests may be  
35 deposited into the Park Fund. The Park Fund shall consist of two accounts: donations  
36 and fees. Only the income from the account consisting of donations, except donations  
37 dedicated to specific projects, shall be spent in accordance with this section. Principal  
38 and income from the account consisting of fees shall be spent in accordance with this  
39 section.

40           (b) The State Treasurer shall be the custodian of the North Carolina Park Fund  
41 and shall invest its assets in accordance with G.S. 147-69.2 and G.S. 147-69.3.

42           (c) Expenditures from the Park Fund shall be only for the purposes set out in  
43 subsection (a) of this section and shall be by act of the General Assembly.

1       (d) The North Carolina Park Fund shall not take the place of State appropriations  
2 but shall be used to supplement other income and appropriations for the parks and  
3 recreation areas.

4       (e) Notwithstanding any other provision of law, the fees collected in the State  
5 parks and recreation areas, except for the recreation areas that are leased, shall not revert  
6 to the State treasury to the credit of the General Fund but shall be deposited in the North  
7 Carolina Park Fund, beginning July 1, 1991."

8               Sec. 2. There is appropriated from the General Fund to the Department of  
9 Environment, Health, and Natural Resources the sum of \$12,500 for the 1991-92 fiscal  
10 year and the sum of \$12,500 for the 1992-93 fiscal year for the administrative expenses  
11 of the Park Authority as created by this act.

12               Sec. 3. This act becomes effective July 1, 1991.