

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 460
Committee Substitute Favorable 4/15/97

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 Part 28 of Article 7 of Chapter 143B of the General Statutes is repealed.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-289.20 reads as rewritten:

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

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

(1) Repealed by Session Laws 1991, c. 320, s. 3.

(1a) To establish and maintain the North Carolina Aquariums;

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

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

- 1 b. Review and approve requests for use of the Aquarium facilities
2 and advise the Secretary ~~of the Department~~ of Environment,
3 Health, and Natural Resources on the most appropriate use
4 consistent with the goals and objectives of the Aquariums;
5 c. Continually review and evaluate the types of projects and
6 programs being carried out in the Aquarium facilities and
7 determine if the operation of the facilities is in compliance with
8 the established goals and objectives;
9 d. Recommend to the Secretary ~~of the Department~~ of Environment,
10 Health, and Natural Resources any policies and procedures
11 needed to assure effective staff performance and proper liaison
12 among Aquarium facilities in carrying out the overall purposes of
13 the Aquarium programs;
14 e. Review Aquarium budget submissions to the Secretary ~~of the~~
15 ~~Department~~ of Environment, Health, and Natural Resources;
16 f. Recruit and recommend to the Secretary ~~of the Department~~ of
17 Environment, Health, and Natural Resources candidates for the
18 positions of directors of the North Carolina Aquariums; and
19 g. Create local advisory committees in accordance with the
20 provisions of G.S. 143B-289.22.

21 (2), (3) Repealed by Session Laws 1993, c. 321, s. 28(e).

22 (4) to (6) Repealed by Session Laws 1991, c. 320, s. 3.

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

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

26 Section 3. G.S. 143B-289.22 reads as rewritten:

27 "**§ 143B-289.22. Local advisory committees; duties; membership.**

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

35 Section 4. Part 5B of Article 7 of Chapter 143B of the General Statutes is
36 amended by adding a new section to read:

37 "**§ 143B-289.23. North Carolina Aquariums; fees; fund.**

38 (a) Fees. – The Secretary of Environment, Health, and Natural Resources and the
39 Division of North Carolina Aquariums may establish and revise a schedule of uniform
40 fees for the North Carolina Aquariums.

41 (b) Fund. – The North Carolina Special Aquariums Fund, hereafter 'Fund', is
42 hereby created, and shall be a special and nonreverting fund. The Fund shall be used

1 only for repair, maintenance, and educational exhibit construction at existing aquariums.

2 The Fund may also be used to match private funds that are raised for these purposes.

3 (c) Disposition of Fees. – All entrance fee receipts shall be credited to the Fund.

4 The Secretary of Environment, Health, and Natural Resources may expend monies from
5 the Fund only upon the authorization of the General Assembly."

6 Section 5. G.S. 143B-279.3(b)(23) is repealed.

7 Section 6. This act is effective when it becomes law.