

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 132
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Short Title: N.C. Park Authority.

(Public)

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

Referred to: Travel and Tourism and Cultural Resources.

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;

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

11 **"§ 143B-313.2. North Carolina Park Authority; members; selection; compensation;**
12 **meetings.**

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

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

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

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

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

32 **"§ 143B-312.3. North Carolina Park Fund.**

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

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

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

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

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

10 Sec. 2. This act becomes effective July 1, 1991.