



SENATE BILL 477: DNCR Agency Bill.

2025-2026 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	April 30, 2025
Introduced by:	Sen. Johnson	Prepared by:	Aaron McGlothlin
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 477 would make various changes to the statutes governing the Department of Natural and Cultural Resources (Department), as recommended by the Department.*

CURRENT LAW / BILL ANALYSIS:

NATURAL HERITAGE PROGRAM DATA CONFIDENTIALITY

The North Carolina Public Records Law broadly defines "public records" as "all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions."

Section 1 would authorize the Department of Natural and Cultural Resources to limit public disclosure of information concerning the nature and location of any rare species of plants or animals, or sensitive natural habitats, upon determining that disclosure would create a risk of harm, theft, or destruction to those species or habitats.

STANDARDS FOR VISITOR CONDUCT EXEMPTED FROM RULE MAKING

Article 2A of Chapter 150B of the General Statutes (North Carolina's Administrative Procedure Act) outlines the rulemaking process State agencies must follow in order to adopt any regulation or generally applicable standard that is enforceable against the public. Under current law the Department is exempt from having to satisfy Article 2A rulemaking procedures with respect to setting operating hours, admission fees, or related activity fees at historic sites and museums.

Section 2 would provide the Department an exemption to Article 2A rulemaking requirements in developing standards and rules of conduct governing visitors to sites owned or managed by the Department.

EXTENDED LEASE TERMS FOR STATE RECREATION AREAS

G.S. 146-25 prohibits the Department of Administration from acquiring a lease of real property for a total term exceeding 30 years, unless specifically authorized to do so by the General Assembly.

G.S. 146-29 prohibits the Department of Administration from conveying a lease of real property for a total term exceeding 30 years, unless specifically authorized to do so by the General Assembly.

Kara McCraw
Director



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Section 3 would authorize the Department of Natural and Cultural Resources to enter into leases for a period greater than 30 years, but no more than 50 years, of lands owned by the federal government and managed by the Department as the Falls Lake, Jordan Lake, and Kerr Lake State Recreation Areas.

MODERNIZE HISTORICAL PUBLICATIONS STATUTE

G.S. 121-6 requires the Department to compile and publish a documentary volume of the official papers and other releases of each Governor of this State, the costs of which must be paid from the Contingency and Emergency Fund. Furthermore, the Department is required to publish documentary volumes containing the most significant records of colonial North Carolina, with each published volume not to exceed approximately 700 pages in length.

Section 4 would revise G.S. 121-6 to allow DNCR to fund publication of the Governor's papers from sources other than the State's Contingency and Emergency Fund. This section would also eliminate the provision that limits each published volume of colonial records to no more than 700 pages.

SYMPHONY STATUTORY REVISIONS

The North Carolina Symphony Society, Incorporated is a nonprofit corporation that is under the patronage of the State as provided in Article 2 of Chapter 140 of the General Statutes

Section 5(a) would clarify that Department employees assigned to assist the North Carolina Symphony, Inc. are exempt from certain classification and compensation-related rules established by the State Human Resources Commission.

Section 5(b) would clarify that the North Carolina Symphony Society, Inc. is not a State agency and shall continue to be eligible to receive the patronage of the State as provided in Article 2 of Chapter 140 of the General Statutes.

EXPAND AND CODIFY FREE SCHOOL GROUP ADMISSION

Section 14.11(g) of S.L. 2015-241, as amended, prohibited Department of Natural and Cultural Resources or any other department given responsibilities for the North Carolina Zoological Park, State parks, and the North Carolina Aquariums from imposing regular admission fees on school groups visiting those attractions. This prohibition did not apply to separate admission charges for special temporary exhibitions.

Section 6 would prohibit the Department of Natural and Cultural Resources from imposing regular admission fees on school groups visiting any site owned or managed by the Department.

REPEAL OBSOLETE REPORTING REQUIREMENTS

Section 7(a) would repeal a reporting requirement for the Department related to grants-in-aid to private nonprofit organizations in the areas of history, art, and culture.

Section 7(b) would repeal a generalized biennial reporting requirement that the Department is required to submit in addition to any other reports required to be submitted by the General Assembly.

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STATE NATURE AND HISTORIC PRESERVE ADDITIONS AND DELETIONS

Section 5 of Article XIV of the Constitution of North Carolina provides for addition of properties to and removal of properties from the State Nature and Historic Preserve by a law enacted by a three-fifths vote of the members of each house of the General Assembly. The Preserve is intended to ensure that lands and waters acquired and preserved for public park, recreation, conservation, and historic preservation purposes continue to be used for these purposes. Upon inclusion in the Preserve, these lands may not be used for other purposes except as authorized by a law enacted by a vote of three fifths of the members of each house.

Properties were last accepted in the Preserve in 2023. Since that time over 4,700 acres of land at 19 different park units have been added to the North Carolina State Parks System. The Council of State will meet on May 6, 2025, to consider petitioning the General Assembly to accept into the Preserve various State parklands and historic sites, as well as deleting certain small parcels from the Preserve in order to improve management of units.

Section 8 would add North Peaks State Trail to the State Nature and Historic Preserve. This section would also except from dedication and remove certain small parcels from the Preserve that are located at Mayo River State Park, Chimney Rock State Park, New River State Park, and Fonta-Flora State Trail.

The following explanation of the parcels to be removed from the Preserve has been provided by the Department of Natural and Cultural Resources.

Mayo River State Park Minor Deletion

This clause excepts four small tracts totaling approximately .394 acres needed for a permanent easement for a highway construction project.

Chimney Rock State Park Minor Deletion

This clause excepts three small tracts totaling approximately 0.43 acres adjacent to US Highway 64 & 74A in Bat Cave that were destroyed by Helene. The property also needs to be deleted from the State Parks System.

Chimney Rock State Park Minor Deletion

This clause excepts approximately 5.78 acres needed for a permanent communications easement.

New River State Park Minor Deletion

This clause excepts a small tract totaling approximately 10,014 square feet needed for a permanent drainage easement for a highway construction project.

Fonta-Flora State Trail Minor Deletion

This clause excepts a small tract totaling approximately 4,417 square feet needed for an access easement.

EFFECTIVE DATE: Except as otherwise provided, this act would become effective upon becoming law.