



# HOUSE BILL 371: Agency Powers and Duties/Technical Changes.

2017-2018 General Assembly

<b>Committee:</b>	House State and Local Government II. If favorable, re-refer to Appropriations	<b>Date:</b>	April 5, 2017
<b>Introduced by:</b>	Reps. McGrady, McNeill, Hurley	<b>Prepared by:</b>	Nicholas Giddings Committee Counsel
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** *House Bill 371 would recodify certain statutes to clarify the Department of Natural and Cultural Resources' authority over recreation, federal recreation-related funding, and the North Carolina Zoological Park. The bill would also change the name of the Clean Water Management Trust Fund to the North Carolina Land and Water Preservation Trust Fund.*

*These changes were recommended by the Department of Natural and Cultural Resources.*

**CURRENT LAW/BILL ANALYSIS:** House Bill 371 would do the following:

**Section 1:**

- Recodifies G.S. 143-320(3) as G.S. 143B-135.44(3a) and G.S. 143-323(a) as G.S. 143B-153.58(a). This would transfer the duties concerning "recreation" from the Department of Environmental Quality (DEQ) to the Department of Natural and Cultural Resources (DNCR). This would simply correct the department name which was incorrectly changed during the transition to the two departments (DEQ and DNCR).
- Recodifies G.S. 143-323(d) as G.S. 143B-153.58(b). This would transfer authority from DEQ to DNCR to apply for, and accept, recreation-related funding from the federal government. The bill would also designate the Director of the Division of Parks and Recreation the authority to accept and administer funding through the federal Land and Water Conservation Fund or its successor.
  - This is an existing responsibility of the Parks and Recreation Director. The National Parks Service requires each state to have a "State Liaison Officer" (SLO) to administer the Land and Water Conservation Fund (LWCF) program, which has existed since the 1960's. The Parks and Recreation Director acts as the SLO, but the appointment must be made anew each time a new Governor is elected. This provision would reduce paperwork without changing the way the LWCF program works or altering the administrative responsibility of the Division of Parks and Recreation.

**Section 2:**

- Changes the title of Part 39 of Article 2 of Chapter 143B to "North Carolina Zoological Park".
- Enacts a new statute (G.S. 143B-135.204). This would assert DNCR's authority over the Zoo, including the acquisition and disposition of property.

**Section 3:**

- Changes the name of the "Clean Water Management Trust Fund" to the "Land and Water Preservation Trust Fund". This more accurately reflects the scope of the Fund's work and was recommended by the Fund's board.

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- Makes conforming changes throughout Chapter 143B of the General Statutes and directs the Revisor of Statutes to make conforming changes throughout the General Statutes.

**EFFECTIVE DATE:** Section 3 becomes effective January 1, 2018. The remainder of the act is effective when it becomes law.