

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS35191-MH-75

Short Title: DNCR Agency Bill.-AB

(Public)

Sponsors: Senator Johnson (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED
AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES, AS RECOMMENDED
BY THE DEPARTMENT.

The General Assembly of North Carolina enacts:

NATURAL HERITAGE PROGRAM DATA CONFIDENTIALITY

SECTION 1.(a) The Nature Preserves Act, Part 42 of Article 2 of Chapter 143B of the General Statutes, is amended by adding a new section to read:

"§ 143B-135.275. Confidentiality of rare species and sensitive natural habitat information.

Information concerning the nature and location of any (i) rare species of plants or animals or (ii) sensitive natural habitats may be made available to the public under Chapter 132 of the General Statutes or under any other provision of law, regardless of whether the rare species or sensitive natural habitats are located on public or private property, unless the Department of Natural and Cultural Resources determines that the disclosures would create a risk of harm, theft, or destruction to those species or habitats."

SECTION 1.(b) This section is effective when it becomes law.

STANDARDS FOR VISITOR CONDUCT EXEMPTED FROM RULE MAKING

SECTION 2. G.S. 150B-1(d) reads as rewritten:

"(d) Exemptions from Rule Making. – Article 2A of this Chapter does not apply to the following:

...

(27a) The Department of Natural and Cultural Resources in developing standards and rules of conduct governing visitors to sites owned or managed by the Department.

...."

EXTENDED LEASE TERMS FOR STATE RECREATION AREAS

SECTION 3. Pursuant to G.S. 146-29(b), the General Assembly authorizes 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

SECTION 4. G.S. 121-6 reads as rewritten:



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"§ 121-6. Historical publications.

...

(b) Editing and Publishing of Official Messages and Other Papers of Governor. – During the term of office of each Governor of this State, a copy of all official messages delivered to the General Assembly, addresses, speeches, statements, news releases, proclamations, executive orders, weekly calendars, articles, transcripts of news conferences, lists of appointments, and other official releases and papers of the Governor shall be kept in the Governor's office for delivery to the Department of Natural and Cultural Resources at the end of each quarter during the Governor's administration. These papers shall be compiled and a selection made therefrom by a skilled and competent editor. The editor shall edit, according to acceptable scholarly standards, the selected materials which shall be published in a documentary volume as soon as practicable after the conclusion of the term of office of each Governor. If, for any reason, a Governor serves less than a full term, a documentary volume shall be edited and published for such portion of a term as he shall have served. If a Governor serves more than one term, a documentary volume shall be edited and published for each term served. Funds for editorial assistance, printing, binding, and distribution ~~shall~~ may be paid from the Contingency and Emergency Fund. The number of copies of each volume to be printed shall be determined by the Department of Natural and Cultural Resources in consultation with the Governor whose papers are being published.

(c) It shall be the duty and the responsibility for the Department of Natural and Cultural Resources to edit and publish a second or new series of the most significant records of colonial North Carolina. From records which have been compiled in the North Carolina State Archives concerning the colonial period of North Carolina, a selection of the most significant documents shall be made therefrom by a skilled and competent editor. The editor shall edit, according to acceptable scholarly standards, the selected materials which shall be published in documentary volumes ~~not to exceed approximately 700 pages each in length~~ until full and representative published colonial records of North Carolina shall have been achieved. The number of copies of each volume to be so printed shall be determined by the Department of Natural and Cultural Resources, and such determination shall be based on the number of copies the Department can reasonably expect to sell in a period of 10 years from the date of publication. In any year during which the Department of Natural and Cultural Resources has completed a volume and has it ready for publication, the Department may include in its base budget for that year sufficient funds to pay the estimated costs of publishing the volume. In the event that the volume is not published during that year, the appropriation made, or any unencumbered balance, shall revert to the ~~general fund.~~ General Fund."

SYMPHONY STATUTORY REVISIONS**SECTION 5.(a)** G.S. 126-5(c11) reads as rewritten:

"(c11) The following are exempt from (i) the classification and compensation rules established by the State Human Resources Commission pursuant to G.S. 126-4(1) through (4); (ii) G.S. 126-4(5) only as it applies to hours and days of work, vacation, and sick leave; (iii) G.S. 126-4(6) only as it applies to promotion and transfer; (iv) G.S. 126-4(10) only as it applies to the prohibition of the establishment of incentive pay programs; and (v) Article 2 of Chapter 126 of the General Statutes, except for G.S. 126-7.1:

(1) The Office of the Commissioner of Banks and its employees.

(2) The following employees of the Department of Natural and Cultural Resources:

a. Director and Associate Directors of the North Carolina Museum of History.

b. Program Chiefs and Curators.

c. Regional History Museum Administrators and Curators.

- d. Employees assigned to assist the North Carolina Symphony.~~Symphony, Incorporated.~~
- e. Director, Associate Directors, and Curators of Tryon Palace.
- f. Director, Associate Directors, and Curators of Transportation Museum.
- g. Director and Associate Directors of the North Carolina Arts Council.
- h. Director, Assistant Directors, and Curators of the Division of State Historic Sites.

...."

SECTION 5.(b) G.S. 143B-94 reads as rewritten:

"§ 143B-94. North Carolina Symphony Society, Inc.

The North Carolina Symphony Society, ~~Incorporated,~~ Incorporated, is not a State agency within the meaning of this Chapter and is exempt from all provisions of this Chapter other than this section. The North Carolina Symphony Society, Incorporated, shall continue to be ~~under~~ eligible to receive the patronage of the State as provided in Article 2 of Chapter 140 of the General Statutes of North Carolina. The governing body of the North Carolina Symphony Society, Incorporated, shall be a board of trustees consisting of not less than 16 members of which the Governor of the State and the Superintendent of Public Instruction shall be ex officio members and four other members shall be named by the Governor. The remaining trustees shall be chosen by members of the North Carolina Symphony Society, Incorporated, in such manner and for such terms as that body shall determine. The initial members named by the Governor shall be appointed from the members of the existing board of trustees of the North Carolina State Symphony Society, Incorporated, for the balance of their existing terms. Subsequent appointments shall be made for terms of four years each."

EXPAND AND CODIFY FREE SCHOOL GROUP ADMISSION

SECTION 6.(a) Article 2 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-53.15 Free admission for school groups.

The Department of Natural and Cultural Resources may not impose fees on school groups visiting sites owned or managed by the Department. For purposes of this section, "fees" refers to any regular admission charge and does not include activity fees or a separate admission charge for special or temporary exhibitions."

SECTION 6.(b) Section 14.11(g) of S.L. 2015-241 is repealed.

REPEAL OBSOLETE REPORTING REQUIREMENTS

SECTION 7.(a) G.S. 121-12.1 is repealed.

SECTION 7.(b) G.S. 143-406 reads as rewritten:

"§ 143-406. Duties of Department of Natural and Cultural Resources.

The Department of Natural and Cultural Resources shall take action to carry out the following purposes as funds and staff permit:

- (1) Study, collect, maintain, and otherwise disseminate factual data and pertinent information relative to the arts;
- (2) Assist local organizations and the community at large with needs, resources and opportunities in the arts;
- (3) Serve as an agency through which various public and nonpublic organizations concerned with the arts can exchange information, coordinate programs and stimulate joint endeavors;
- (4) Identify research needs, encourage research and assist in obtaining funds for research;

- (5) Assist in bringing the highest obtainable quality in the arts to the State; promote the maximum opportunity for the people to experience, enjoy, and profit from those arts.

~~By February 15 of each odd-numbered year, the Department of Natural and Cultural Resources shall, in addition to such other recommendations, studies, and plans as it may submit from time to time, submit a biennial report of progress to the Governor, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the chairs of the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources, the chairs of the House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division."~~

STATE NATURE AND HISTORIC PRESERVE ADDITIONS AND DELETIONS

SECTION 8. It is the intent of the General Assembly to enact the following deletions from the State Nature and Historic Preserve set forth in G.S. 143-260.10:

- (1) A portion of Mayo River State Park.
- (2) A portion of Chimney Rock State Park.
- (3) An easement at Raven Rock State Park.
- (4) A portion of the Fonta Flora State Trail.
- (5) A portion of Wilderness Gateway State Trail.
- (6) A portion of New River State Park.

EFFECTIVE DATE

SECTION 9. Except as otherwise provided, this act is effective when it becomes law.