

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 718

Short Title: Parks & Recreation/Natural Heritage.

(Public)

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Sponsors: Representatives Gray, Black; Baker, J. Brown, Cummings, Hackney, Ives, Justus, G. Miller, K. Miller, Sexton, Shaw, and Weatherly.

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Referred to: Health and Environment, if favorable, Finance.

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March 30, 1995

A BILL TO BE ENTITLED

AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST  
FUND AND THE NATURAL HERITAGE TRUST FUND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-44.15 reads as rewritten:

**"§ 113-44.15. Parks and Recreation Trust Fund.**

(a) There is established a Parks and Recreation Trust Fund in the State Treasurer's Office. The Trust Fund shall be a nonreverting special revenue fund consisting of gifts and grants to the Trust Fund Fund, monies credited to the Trust Fund pursuant to G.S. 105-228.30(b), and other monies appropriated to ~~the Trust Fund~~ by the General Assembly.

~~It is the intent of the General Assembly to dedicate an amount equal to seventy five percent (75%) of the State's share of the deed stamp tax levied pursuant to G.S. 105-228.30 to the Parks and Recreation Trust Fund and an additional amount equal to ten percent (10%) of the State's share of the deed stamp tax to the Natural Heritage Trust Fund.~~

(b) Beginning July 1, 1995, funds in the Trust Fund are annually appropriated to the Department and, unless otherwise specified by the General Assembly or the terms or conditions of a gift or grant, shall be allocated and used as follows:

- 1           (1) ~~Seventy-five percent (75%)~~ Sixty-five percent (65%) for the State Parks  
2           System for capital projects, repairs and renovations of park facilities,  
3           and land acquisition.
- 4           (2) ~~Twenty percent (20%)~~ Thirty percent (30%) to provide matching funds to  
5           local governmental units on a dollar-for-dollar basis for local park and  
6           recreation purposes. These funds shall be allocated by the Secretary  
7           based on criteria patterned after the Open Project Selection Process  
8           established for the Land and Water Conservation Fund administered by  
9           the National Park Service of the United States Department of the  
10          Interior.
- 11          (3) Five percent (5%) for the Coastal and Estuarine Water Beach Access  
12          Program.

13          Of the funds appropriated to the Department from the Trust Fund each year, no more  
14          than three percent (3%) may be used by the Department for operating expenses  
15          associated with managing capital improvements projects, acquiring land, and  
16          administration of local grants programs.

17          (c) The Department shall report on an annual basis to the Joint Legislative  
18          Commission on Governmental Operations, the appropriations committees of the House of  
19          Representatives and the Senate, and the Fiscal Research Division on allocations from the  
20          Trust Fund."

21                Sec. 2. G.S. 105-228.30(b) reads as rewritten:

22                "(b) The register of deeds of each county shall remit the proceeds of the tax levied  
23                by this section to the county finance officer. The finance officer of each county shall  
24                credit one-half of the proceeds to the county's general fund and shall remit the remaining  
25                one-half of the proceeds, less the county's allowance for administrative expenses, to the  
26                Department of Revenue on a quarterly basis. A county may retain two percent (2%) of  
27                the amount of tax proceeds allocated for remittance to the Department of Revenue as  
28                compensation for the county's cost in collecting and remitting the State's share of the tax.  
29                Of the funds remitted to it pursuant to this section, the Department of Revenue shall  
30                credit ~~fifteen percent (15%)~~ seventy-five percent (75%) to the Parks and Recreation Trust  
31                Fund established under G.S. 113-44.15 and twenty-five percent (25%) to the Natural  
32                Heritage Trust Fund established under G.S. ~~113-77.7~~ and ~~the remainder to the General Fund.~~  
33                113-77.7."

34                Sec. 3. This act becomes effective July 1, 1996.