

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

1

HOUSE BILL 279

Short Title: U.S.S. North Carolina/No Fee for Military. (Public)

Sponsors: Representatives McElraft, Hurley, Burris-Floyd, Frye (Primary Sponsors); Avila, Blackwell, Blust, Burr, Cleveland, Dollar, Faison, E. Floyd, Folwell, Guice, Gulley, Holloway, Johnson, Killian, Langdon, Lucas, Martin, McGee, Moore, Neumann, Parmon, Samuelson, Tarleton, Tillis, Underhill, Wiley, and Wray.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Finance.

February 25, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT MEMBERS AND VETERANS OF THE MILITARY ARE
3 NOT CHARGED AN ADMISSION FEE TO THE U.S.S. NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 143B-73 reads as rewritten:

6 "§ 143B-73. U.S.S. North Carolina Battleship Commission – creation, powers and duties.

7 There is hereby created the U.S.S. North Carolina Battleship Commission of the
8 Department of Cultural Resources with the power and duty to adopt, amend, and rescind rules
9 and regulations under and not inconsistent with the laws of this State necessary in carrying out
10 the provisions and purposes of this Part.

11 (1) The U.S.S. North Carolina Battleship Commission is authorized and
12 empowered to adopt such rules and regulations not inconsistent with the
13 management responsibilities of the Secretary of the Department provided by
14 Chapter 143A of the General Statutes and laws of this State and this Chapter
15 that may be necessary and desirable for the operation and maintenance of the
16 U.S.S. North Carolina as a permanent memorial and exhibit commemorating
17 the heroic participation of the men and women of North Carolina in the
18 prosecution and victory of the Second World War and for the faithful
19 performance and fulfillment of its duties and obligations.

20 (2) The U.S.S. North Carolina Battleship Commission shall have the power and
21 duty to establish standards and adopt rules and regulations: ~~(i) establishing~~
22 ~~and providing for a proper charge for admission to the ship; and (ii) for the~~
23 ~~maintenance and operation of the ship as a permanent memorial and exhibit.~~

24 a. Establishing and providing for a proper charge for admission to the
25 ship. However, members and veterans of the military shall not be
26 charged for admission to the ship. The Commission may require
27 proof that a person is a member of the military or a veteran and may
28 designate forms of identification that will constitute sufficient
29 evidence of this fact. As used in this sub-subdivision, the term
30 'military' includes the active and reserve components of the Army,
31 Navy, Marine Corps, Air Force, North Carolina Army National
32 Guard, North Carolina Air National Guard, Merchant Marine, and
33 Coast Guard.



1 b. For the maintenance and operation of the ship as a permanent
2 memorial and exhibit.

3 (3) The Commission shall adopt rules and regulations consistent with the
4 provisions of this Chapter."

5 **SECTION 2.** G.S. 143B-73.1 reads as rewritten:

6 "**§ 143B-73.1. U.S.S. North Carolina Battleship Commission – duties.**

7 The Commission shall have the further duty and authority to select an appropriate site for
8 the permanent berthing of the Battleship U.S.S. North Carolina, taking into consideration
9 factors including, but not limited to, the accessibility, location in relation to roads and
10 highways, scenic attraction, protection from hazards of weather, fire and sea, cost of site and
11 berthing, cooperation of local governmental authorities in securing, equipping, and maintaining
12 appropriate areas surrounding the site, and others which may affect the suitability of such site
13 for establishment of the ship as a permanent memorial and exhibit; to accept gifts, grants, and
14 donations for the purposes of this Article; to transport to, and berth the ship at the site; to ready
15 the ship for visitation by the public; subject to G.S. 143B-73(2)a., to establish and provide for a
16 proper charge for admission to the ship, and for safekeeping of funds; to maintain and operate
17 the ship as a permanent memorial and exhibit; to acquire property, both real and personal, with
18 the approval of the Governor and the Council of State, and to accept donations of property,
19 both real and personal, from any source; to establish, supervise, manage and maintain in New
20 Hanover County with the approval and assistance of the Department of Cultural Resources
21 exhibits, dramas, cultural activities, museums, and records pertaining to the marine and naval
22 history of the State of North Carolina and the United States of America; to identify, preserve
23 and protect properties having historical, marine and naval significance to New Hanover
24 County, the State, its communities and counties and the nation; to establish and provide for a
25 proper charge for admission to all properties maintained and operated by the Commission in
26 New Hanover County; to otherwise provide in carrying out its duties for the establishment of
27 appropriate activities to encourage interest in the marine and naval history of North Carolina; to
28 perpetuate the memory of North Carolinians who gave their lives in the course of World War II
29 and in the events in which the battleship was a participant, and to allocate funds for the
30 fulfillment of the duties and authority herein provided as may be necessary and appropriate for
31 the purpose of this Article."

32 **SECTION 3.** This act is effective when it becomes law.