

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1646

Short Title: Historic Sites Use Receipts.

(Public)

Sponsors: Representatives Redwine; and Bowman.

Referred to: Appropriations.

June 8, 1992

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES MAY USE RECEIPTS FROM THE SALE OF LAND AND LAND PRODUCTS OWNED BY THE DEPARTMENT OR UNDER THE SUPERVISION AND CONTROL OF THE DEPARTMENT FOR CAPITAL IMPROVEMENT PROJECTS OR OTHER PURPOSES AT THE NORTH CAROLINA HISTORIC SITES AS AUTHORIZED BY THE GENERAL ASSEMBLY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 146-30 reads as rewritten:

"§ 146-30. Application of net proceeds.

The net proceeds of any disposition made in accordance with this Subchapter shall be handled in accordance with the following priority: First, in accordance with the provisions of any trust or other instrument of title whereby title to such real property was heretofore acquired or is hereafter acquired; second, as provided by any other act of the General Assembly; third, the net proceeds shall be deposited with the State Treasurer. Provided, however, nothing herein shall be construed as prohibiting the disposition of any State lands by exchange for other lands, but if the appraised value in fee simple of any property involved in the exchange is at least twenty-five thousand dollars (\$25,000), then such exchange may not be made without consultation with the Joint Legislative Commission on Governmental Operations.

For the purposes of this Subchapter, the term 'net proceeds' means the gross amount received from the sale, lease, rental, or other disposition of any State lands, less

- 1 (1) Such expenses incurred incident to that sale, lease, rental, or other
- 2 disposition as may be allowed under rules and regulations adopted by
- 3 the Governor and approved by the Council of State;
- 4 (2) Amounts paid pursuant to G.S. 105-296.1, if any; and
- 5 (3) A service charge to be paid into the State Land Fund.

6 The amount or rate of such service charge shall be fixed by rules and regulations  
7 adopted by the Governor and approved by the Council of State, but as to any particular  
8 sale, lease, rental, or other disposition, it shall not exceed ten percent (10%) of the gross  
9 amount received from such sale, lease, rental, or other disposition. Notwithstanding any  
10 other provision of this Subchapter, the net proceeds derived from the sale of land or  
11 products of land owned by or under the supervision and control of the Wildlife  
12 Resources Commission, or acquired or purchased with funds of that Commission, shall  
13 be paid into the Wildlife Resources Fund. Provided, however, the net proceeds derived  
14 from the sale of land or timber from land owned by or under the supervision and control  
15 of the Department of Agriculture shall be deposited with the State Treasurer in a capital  
16 improvement account to the credit of the Department of Agriculture, to be used for such  
17 specific capital improvement projects or other purposes as are provided by transfer of  
18 funds from those accounts in the Current Operations Appropriations Act. Provided  
19 further, the net proceeds derived from the sale of park land owned by or under the  
20 supervision and control of the Department of Environment, Health, and Natural  
21 Resources shall be deposited with the State Treasurer in a capital improvement account  
22 to the credit of the Department of Administration to be used for the purpose of park land  
23 acquisition as provided by transfer of funds from those accounts in the Current  
24 Operations Appropriations Act. Provided further, the net proceeds derived from the sale  
25 of land or products of the land owned by or under the supervision and control of the  
26 Department of Cultural Resources shall be deposited with the State Treasurer in a  
27 capital improvement account to the credit of the Department of Cultural Resources to be  
28 used for such specific capital improvement projects or other purposes at the North  
29 Carolina Historic Sites as are provided by transfer of funds from those accounts in the  
30 Current Operations Appropriations Act. In the Current Operations Appropriations Act,  
31 line items for purchase of ~~park and agricultural~~ park, agricultural, and historic lands will  
32 be established for use by the Departments of ~~Administration and Agriculture.~~  
33 ~~Administration, Agriculture, and Cultural Resources.~~ The use of such funds for any  
34 specific capital improvement project or land acquisition is subject to approval by the  
35 Director of the Budget. No other use may be made of funds in these line items without  
36 approval by the General Assembly except for incidental expenses related to the project  
37 or land acquisition. Additionally with the approval of the Director of the Budget, ~~either~~  
38 ~~Department~~ ~~the Departments~~ may request funds from the Contingency and Emergency  
39 Fund when the necessity of prompt purchase of available land can be demonstrated and  
40 funds in the capital improvement accounts are insufficient. Provided further, the net  
41 proceeds derived from the sale of any portion of the land in or around the  
42 unincorporated area known as Butner on or after July 1, 1980, shall be deposited with  
43 the State Treasurer in a capital improvement account to the credit of the Hospital to  
44 provide water and sewers and to bring those streets in the unincorporated area known as

1 Butner not on the State highway system up to standards adequate for acceptance on the  
2 system, according to a plan adopted by the Department of Administration, and the  
3 Office of State Budget and Management, with the approval of the Board of County  
4 Commissioners of Granville County, to build industrial access roads to industries on the  
5 Butner lands, to construct new city streets on the Butner lands, extend water and sewer  
6 service on the Butner lands, and repair storm drains on the Butner lands."

7           Sec. 2. This act becomes effective July 1, 1992.