

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 210
HOUSE BILL 84

1 AN ACT TO AMEND CHAPTER 121 OF THE GENERAL STATUTES AS TO THE
2 PURCHASE OF HISTORIC PROPERTIES, TO ESTABLISH A HISTORIC SITES
3 ADVISORY COMMITTEE AND TO AMEND CHAPTER 143 OF THE GENERAL
4 STATUTES AS TO THE APPROPRIATION OF FUNDS FOR HISTORIC SITES.
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6 The General Assembly of North Carolina do enact:
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8 **Section 1.** Section 7 of Chapter 121 of the General Statutes is hereby rewritten to
9 read as follows:

10 "**Sec. 7. Purchase of Historic Properties.** The Department of Archives and History may, from
11 funds appropriated to the Department for such purpose, acquire, preserve, restore, or operate
12 historic or archeological real and personal properties, or may assist a county, municipality, or
13 nonprofit corporation or organization in the acquisition, preservation, restoration, or operation
14 of such properties by providing a portion of the cost therefor; provided, that no acquisition,
15 preservation, restoration or operation of such properties shall be made by the State of North
16 Carolina and no contribution shall be made from State funds toward such acquisition,
17 preservation, restoration, or operation until (1) the property or properties shall have been
18 approved for such purpose by the Department of Archives and History according to criteria
19 adopted by the Historic Sites Advisory Committee, (2) the report and recommendation of the
20 Historic Sites Advisory Committee has been received and considered by the Department of
21 Archives and History, and (3) the Department of Archives and History has found that there is a
22 feasible and practical method of providing funds for the acquisition, preservation, restoration,
23 and operation of such property. If funds or contributions for such acquisition are not available,
24 the Governor and Council of State may, upon the recommendation of the Department of
25 Archives and History, allocate from the Contingency and Emergency Fund an amount
26 sufficient to acquire an option on property or properties, which option shall continue until thirty
27 (30) days after the adjournment sine die of the next General Assembly. State funds shall not be
28 used for the purchase of property having historic or archeological significance unless the fee
29 simple and unconditional title to such property is acquired by the State of North Carolina or by
30 a county or city therein or by a nonprofit corporation or organization. Upon recommendation of
31 the Department of Archives and History, the Governor and the Council of State are authorized
32 to allocate funds from the Contingency and Emergency Fund for the immediate acquisition,
33 preservation, restoration, or operation of historic or archeological real or personal properties.
34 All funds hereinafter appropriated to purchase, restore, maintain or operate historic or
35 archeological real and personal property shall be deemed to be subject to Section 31.2 of the
36 Executive Budget Act unless the Statute making the appropriation shall in specific and express
37 terms provide otherwise."

38 **Sec. 2.** Chapter 121 of the General Statutes is amended by adding new Sections
39 immediately following G.S. 121-8, to be designated as G.S. 121-8.1, G.S. 121-8.2, and G.S.
40 121-8.3 and to read as follows:

41 "**G.S. 121-8.1. Historic Sites Advisory Committee.** There is hereby created a Historic Sites
42 Advisory Committee which shall consist of seven (7) members. The committee shall include
43 the following: the State Budget Officer; the Chairman of the Department of History, University

1 of North Carolina; Dean of the School of Design, North Carolina State College; Director of the
2 Department of Conservation and Development; and three (3) persons to be appointed by the
3 Governor for terms ending July 1, 1967 and every four (4) years thereafter. One (1) of the
4 members to be appointed by the Governor shall reside in the Piedmont, one (1) shall reside in
5 the eastern section of the State, and one (1) shall reside in the western section of the State. The
6 committee shall elect one (1) of its members as chairman, and the Director of the Department
7 of Archives and History shall serve as secretary. Each ex officio member of the committee is
8 authorized to designate a member of his staff to represent him at meetings of the committee.

9 **"G.S. 121-8.2. Duties of Historic Sites Advisory Committee.** The Historic Sites Advisory
10 Committee shall develop criteria for the evaluation of State historic sites and all real and
11 personal property which may be considered to be of such historic or archeological importance
12 as would justify the acquisition and ownership thereof by the State of North Carolina, acting by
13 itself or in connection with any county, city, or town, or any group of citizens or organizations.
14 The committee shall also develop criteria for the evaluation of all historic or archeological
15 properties owned by or under option to a county, city, town, nonprofit corporation or
16 organization for which State aid is requested. The committee shall investigate and evaluate all
17 proposed historic and archeological property for which State appropriations are suggested to
18 determine if the property is historically authentic and significant, if it is essential to the
19 development of a balanced program of historic sites, and if practical plans can be developed for
20 financing, maintaining and operating the site. The committee shall make a written report of its
21 findings and recommendations with respect to all such historic or archeological sites which
22 shall be filed as a matter of record in the custody of the Department of Archives and History.
23 The report shall set out in such detail as may be necessary the amount of money which will
24 have to be expended for the restoration of any such property and the manner and method by
25 which the maintenance and operation should be carried on, and the sources from which funds
26 may be derived for such purpose.

27 **"G.S. 121-8.3. Director of the Department of Archives and History to Furnish Copies of**
28 **Recommendations of Historic Sites Advisory Committee to Legislative Committees.** The
29 Director of the Department of Archives and History shall furnish to the chairmen of each
30 legislative committee to which is referred any bill seeking an appropriation of funds for the
31 purposes of acquiring, preserving, restoring, or operating any property having historic value or
32 significance, at least five copies of the written report of the findings and recommendations of
33 the Historic Sites Advisory Committee theretofore filed with said department relating to the
34 particular property or properties described in the bill. The copies of the findings and
35 recommendations of the Historic Sites Advisory Committee shall be furnished to the legislative
36 committee chairman or chairmen as soon as practicable."

37 **Sec. 3.** Article 1 of Chapter 143 is amended by adding following Section 31.1 a
38 new Section 31.2 to read as follows:

39 **"Sec. 31.2. Appropriation, Allotment, and Expenditure of Funds for Historic and**
40 **Archeological Property.** No funds of the State of North Carolina shall be appropriated,
41 allotted, or expended for the acquisition, preservation, restoration, or operation of historic or
42 archeological real and personal property, and the Director of the Budget shall not allot any
43 appropriations for a particular historic site until (1) the property or properties shall have been
44 approved for such purpose by the Department of Archives and History according to criteria
45 adopted by the Historic Sites Advisory Committee, (2) the report and recommendation of the
46 Historic Sites Advisory Committee has been received and considered by the Department of
47 Archives and History, and (3) the Department of Archives and History has found that there is a
48 feasible and practical method of providing funds for the acquisition, restoration and/or
49 operation of such property."

50 **Sec. 4.** All laws and clauses of laws in conflict with the provisions of this Act are
51 repealed.

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Sec. 5. This Act shall take effect upon ratification.

In the General Assembly read three times and ratified, this the 12th day of April,

1963.