

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1335

Short Title: Butner Fund Use.

(Public)

Sponsors: Senator Royall.

Referred to: Appropriations.

August 2, 1989

A BILL TO BE ENTITLED

AN ACT TO EXPAND PURPOSES CERTAIN RECEIPTS MAY BE USED FOR ON
THE BUTNER LANDS.

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

1 The amount or rate of such service charge shall be fixed by rules and regulations
2 adopted by the Governor and approved by the Council of State, but as to any particular
3 sale, lease, rental, or other disposition, it shall not exceed ten percent (10%) of the gross
4 amount received from such sale, lease, rental, or other disposition. Notwithstanding any
5 other provision of this Subchapter, the net proceeds derived from the sale of land or
6 products of land owned by or under the supervision and control of the Wildlife
7 Resources Commission, or acquired or purchased with funds of that Commission, shall
8 be paid into the Wildlife Resources Fund. Provided, however, the net proceeds derived
9 from the sale of land or timber from land owned by or under the supervision and control
10 of the Department of Agriculture shall be deposited with the State Treasurer in a capital
11 improvement account to the credit of the Department of Agriculture, to be used for such
12 specific capital improvement projects or other purposes as are provided by transfer of
13 funds from those accounts in the Current Operations Appropriations Act. Provided
14 further, the net proceeds derived from the sale of park land owned by or under the
15 supervision and control of the Department of Natural Resources and Community
16 Development shall be deposited with the State Treasurer in a capital improvement
17 account to the credit of the Department of Administration to be used for the purpose of
18 park land acquisition as provided by transfer of funds from those accounts in the
19 Current Operations Appropriations Act. In the Current Operations Appropriations Act,
20 line items for purchase of park and agricultural lands will be established for use by the
21 Departments of Administration and Agriculture. The use of such funds for any specific
22 capital improvement project or land acquisition is subject to approval by the Director of
23 the Budget. No other use may be made of funds in these line items without approval by
24 the General Assembly except for incidental expenses related to the project or land
25 acquisition. Additionally with the approval of the Director of the Budget, either
26 Department may request funds from the Contingency and Emergency Fund when the
27 necessity of prompt purchase of available land can be demonstrated and funds in the
28 capital improvement accounts are insufficient. Provided further, the net proceeds
29 derived from the sale of any portion of the land in or around the unincorporated area
30 known as Butner on or after July 1, 1980, shall be deposited with the State Treasurer in
31 a capital improvement account to the credit of the Hospital to provide water and sewers
32 and to bring those streets in the unincorporated area known as Butner not on the State
33 highway system up to standards adequate for acceptance on the system, according to a
34 plan adopted by the Department of Administration, and the Office of State Budget and
35 Management, with the approval of the Board of County Commissioners of Granville
36 County and County, to build industrial access roads to industries on the Butner lands
37 lands, to construct new city streets on the Butner lands, extend water and sewer service
38 on the Butner lands, and repair storm drains on the Butner lands."

39 Sec. 2. This act is effective upon ratification.