

**§ 140-5.14. Board of Trustees – powers and duties.**

The Board of Trustees is the governing body of the North Carolina Museum of Art and has the following powers and duties:

- (1) To adopt bylaws for its own government;
- (2) To adopt policies, rules, and regulations for the conduct of the North Carolina Museum of Art;
- (3) To prescribe the powers and duties of the Director of the North Carolina Museum of Art, consistent with the provisions of this Article;
- (4) To establish such advisory boards and committees as it may deem advisable;
- (5) To advise the Secretary of Natural and Cultural Resources with respect to inspecting, appraising, obtaining attributions and evaluations of, transporting, exhibiting, lending, storing, and receiving upon consignment or upon loan of statuary, paintings, and other works of art of any and every kind and description that are worthy of acquisition, preservation, and exhibition by the North Carolina Museum of Art;
- (6) To advise the Secretary of Natural and Cultural Resources on the care, custody, storage, and preservation of all works of art acquired or received upon consignment or loan by the North Carolina Museum of Art;
- (7) After consultation with the Secretary of Natural and Cultural Resources, on behalf of and in the name of the North Carolina Museum of Art, to acquire by purchase, gift, or will, absolutely or in trust, from individuals, corporations, the federal government, or from any other source, money, works of art, or other property which may be retained, sold, or otherwise used to promote the purposes of the North Carolina Museum of Art as provided in G.S. 140-5.12. The net proceeds of the sale of all property acquired under the provisions of this paragraph shall be deposited in the State Treasury to the credit of the "The North Carolina Museum of Art Special Fund";
- (8) After consultation with the Secretary of Natural and Cultural Resources and notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property, to exchange works of art owned by the North Carolina Museum of Art for other works of art which, in the opinion of the Board, would improve the quality, value, or representative character of the art collection of the Museum;
- (9) After consultation with the Secretary of Natural and Cultural Resources and notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property, to sell, lease, or donate any work of art owned by the North Carolina Museum of Art if the Board finds that it is in the best interest of the Museum to do so, unless such sale, lease, or donation would be contrary to the terms of acquisition. The net proceeds of each such sale or lease, after deduction of the expenses attributable to that sale or lease, shall be deposited in the State treasury to the credit of "The North Carolina Museum of Art Special Fund," and shall be used only for the purchase of other works of art. No work of art owned by the North Carolina Museum of Art may be pledged or mortgaged;
- (10) To make a biennial report by February 15 of each odd-numbered year to the Governor, Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division on the activities of the Board of Trustees and of the North Carolina Museum of Art;
- (11) To adopt, amend, and rescind rules and regulations consistent with the provisions of this Article. All rules and regulations heretofore adopted by the

Art Commission shall remain in full force and effect unless and until repealed or superseded by action of the Board. All rules and regulations adopted by the Board shall be enforced by the Department of Natural and Cultural Resources;

- (12) To determine the sites for expansion of the North Carolina Museum of Art with the approval of the Governor and Council of State;
- (13) To provide auxiliary services at the North Carolina Museum of Art. Such services may include the sale of books, periodicals, art works, art supplies and providing facilities for the operation of food and beverage services. The operation of food and beverage services shall be by contract with private enterprises, and subject to the provisions of Article 3 of Chapter 111. (1979, 2nd Sess., c. 1306, s. 1; 1981, c. 301; 2011-266, s. 1.11(b); 2015-241, ss. 14.30(s), 14.30(t); 2017-57, s. 14.1(gg); 2023-70, s. 2(e).)