

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 1457  
HOUSE BILL 1999

AN ACT TO CREATE A STATE FARM OPERATIONS COMMISSION WITHIN THE  
DEPARTMENT OF AGRICULTURE.

Whereas, it is the intent of this legislation that farms currently operated by the Department of Human Resources and the Department of Correction, which are not being used in the execution of the statutory duties of these departments, continue to be operated as farms or rented until such time as the General Assembly of North Carolina, or some other proper agency of government, can ascertain the best use of such farm land; and

Whereas, it is the intent of this legislation to prevent sale of such farms to the public until the 1977 Session of the General Assembly has considered recommendations made pursuant to this act; Now, therefore,

The General Assembly of North Carolina enacts:

**Section 1.** Creation of State Farm Operations Commission. There is hereby created a policy-making body within the Department of Agriculture which shall be known as the State Farm Operations Commission. The State Farm Operations Commission shall consist of a member of the Board of Agriculture elected by a vote of the Board of Agriculture; the Dean, School of Agriculture and Life Sciences, North Carolina State University; the Dean, School of Forest Resources, North Carolina State University; the Secretary of Human Resources; the Secretary of Correction; the Chairman of the Committee of Agriculture of the House of Representatives and the Chairman of the Committee of Agriculture of the Senate; or their permanent designees. Each member of the State Farm Operations Commission shall be deemed serving on the Commission in an ex-officio capacity to his office and shall continue to serve until his successor has been duly qualified.

**Sec. 2.** Powers and duties of State Farm Operations Commission. The State Farm Operations Commission is authorized, empowered and directed to develop policies for the use of all agricultural and timber lands now under the control of the Department of Human Resources and the Department of Correction, and any other farm or timber lands, which are not being used in the performance of the statutory functions of any State department or agency. The Department of Human Resources and the Department of Correction are authorized, empowered and directed to determine the extent of such lands under the control of said Departments that are not being used for their statutory programs and said Department shall transfer the control and use of all lands not being used for such statutory programs to the Governor and Council of State on or before July 1, 1974. The Governor and the Council of State shall transfer such lands, buildings, equipment and animals as are to be used for agriculture in its broadest sense, including forestry, to the Department of Agriculture. The transfer of the farms shall include all farm machinery, trucks and farm equipment used on such farms. Any State Department may request of the Governor and Council of State to withdraw such land from the Department of Agriculture and to return such land for use by such Department in performance of the statutory programs of such Department in the manner provided by law.

The Department of Agriculture may rent or lease such farms, in the manner provided by law, and may from time to time make recommendations to the General Assembly as to the ultimate use of such farms for the best interest of the State.

The Department of Agriculture, or any other State Department, may apply to the Governor and Council of State for approval of other State use of such land when such other use would better serve the interest of the general public.

The Department of Administration shall consider the long range needs of the State and shall submit recommendations no later than the 1977 Session of the General Assembly as to whether the interest of the State would be served by continuing the operation of the farms, or some of them, or by renting, selling or otherwise utilizing the said farms or some of them.

The State Farm Operations Commission shall be responsible for promulgating rules and regulations for operating the lands and resources assigned to it in such a manner that the public interest is maximized. Farm production shall be directed to meet the institutional needs of the State. In the interest of efficiency of operation and in times of abundance beyond anticipation, it may be to the State's benefit to offer for sale farm products not required for institutional needs.

**Sec. 3.** Powers and duties of Commissioner of Agriculture. The Commissioner of Agriculture is authorized and directed to implement, carry out and administer the policies and programs adopted by the State Farm Operations Commission.

**Sec. 4.** Budgetary Organization. All funds currently recommended or appropriated to the Department of Human Resources and Department of Correction for the maintenance and operation of farms and timber lands not being used for performance of statutory duties are hereby transferred to the Department of Agriculture to be used by the State Farms Operations Program. The Department of Agriculture shall provide all budgetary, staffing and support services.

**Sec. 5.** Use of Products. The Department of Human Resources and the Department of Corrections shall have priority on food products and services from the State Farm Operations Program which are deemed essential to their institutional needs. The value of such food products and services provided by the State Farm Operations Program shall be based on mutually negotiated agreements between the State Farm Operations Commission and the respective agencies. To the extent food products are available from the State Farm Operations Program, the Department of Human Resources and Department of Correction shall use such products, unless provided by other State owned farm operations. In event of dispute between Departments, the Governor and Advisory Budget Commission shall determine the forms of such agreement and method of payment, either by cash or book transfer.

**Sec. 6.** Expenses of Commission Members. Expenses incurred by members of the State Farm Operations Commission in the performance of those duties herein imposed shall be reimbursed, subject to statutory limitations, from the State Farm Operations Program budget.

**Sec. 7.** G.S. 66-58(b), as the same appears in the 1973 Cumulative Supplement to Volume 2C of the General Statutes, is hereby amended by renumbering subdivision (14) as (15) and inserting a new subdivision (14) to read as follows:

"(14) State Farm Operations Commission."

**Sec. 8.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of April, 1974.