

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1122
SENATE BILL 563

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

Whereas, certain farm lands and forest lands were transferred to the North Carolina Department of Agriculture under the provisions of Chapter 1457, 1973 Session Laws (2nd Session, 1974); and

Whereas, it is in the best interest of the State to retain such lands for such possible future use of State government as may later be determined to be in the best interest of the State; and

Whereas, it is the intent of this act to continue to authorize and direct the use of such lands by the North Carolina Department of Agriculture for agricultural purposes; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The re-creation of State Farm Operations Commission. There is hereby re-created a State Farm Operations Commission (hereinafter "commission") within the Department of Agriculture. The commission shall consist of a member of the Board of Agriculture, appointed by the Commissioner 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 on Agriculture of the House of Representatives; and the Chairman of the Committee on Agriculture of the Senate; or their designees. Each member of the commission shall be deemed serving on the commission in an ex officio capacity and shall continue to serve until his successor has been duly qualified.

Sec. 2. Powers and duties of the commission. The commission is authorized, empowered and directed to develop policies for the use and operation of the farm units listed below:

Broughton Farm Unit (formerly Broughton Hospital Farm), Morganton
Caswell Farm Unit (formerly Caswell Center Farm), Kinston
Cherry Farm Unit (formerly Cherry Hospital Farm), Goldsboro
Dix Farm Unit (formerly Dorothea Dix Hospital Farm), Raleigh
Umstead Farm Unit (formerly John Umstead Hospital Farm), Butner
Fountain Farm Unit (formerly Richard T. Fountain School Farm), Rocky Mount
Jackson Farm Unit (formerly Stonewall Jackson School Farm), Concord
Dobbs Farm Unit (formerly Dobbs School for Girls Farm), Kinston
Old Health Farm Unit (formerly Laboratory Farm, Laboratory Section, Human Resources), between Raleigh and Cary
Samarkand Farm Unit (formerly Samarkand Manor Farm), Eagle Springs
Cameron Morrison Farm Unit (formerly Cameron Morrison School Farm), Hoffman
McCain Farm Unit (formerly McCain Sanatorium Farm), McCain
Governor Morehead Farm Unit (formerly Governor Morehead School Farm), Raleigh

The commission shall be responsible for determining policies for operating the lands and using the resources hereby assigned to it in such a manner that the public interest is maximized. Farm production shall be conducted so as to meet the institutional needs of the State. In the interest of efficiency of operation and in times of abundance beyond anticipation, the commission is authorized to sell farm and forest products not required for institutional needs.

The commission shall develop policies to operate, rent, or lease the farms hereinabove named in a manner provided by law, and subject to the provisions of Chapter 146 of the General Statutes.

Sec. 3. In order to effect the intent of this act, the Council of State may transfer to the Department of Agriculture any farm or timberland now operated by any State department or agency in the event the department or agency ceases to use the farm or timberland for its intended statutory purpose. For the purposes of this act such lands are defined as farms, lands, and buildings that can be used for agriculture in its broadest sense, including forestry.

Upon such transfer the commission shall assume the responsibility for the operation and general utilization of such lands.

Sec. 4. Powers and duties of Commissioner of Agriculture. The Commissioner of Agriculture is authorized and directed to implement and administer the policies and programs adopted by the commission.

Sec. 5. Any State department may apply to the Department of Administration for approval of any other State use or disposition of any land under the control of the commission. The commission shall present its recommendations regarding any such application. The Council of State may approve any other State use or disposition of such land as, in its judgment, may better serve the interests of the State of North Carolina.

Sec. 6. Any net proceeds realized by reason of allocation or sale of any lands under the control of the commission shall be deposited with the State Treasurer in the General Fund and shall be expended only in accordance with appropriations by the General Assembly.

Sec. 7. Budgetary organization. Funds appropriated from the General Fund for the operation of the farms and timberlands shall be expended in accordance with the Executive Budget Act. The Department of Agriculture shall provide all budgetary, staffing and support services.

Sec. 8. Use of products. The Department of Human Resources shall have priority on those food products and services produced by 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 commission and the respective agencies. To the extent food products are available from the State farm operations program, the Department of Human Resources and other State agencies shall use such products, unless provided by other State-owned farm operations. In event of a 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. 9. Expenses of commission members. Expenses incurred by members of the commission in the performance of those duties herein imposed shall be reimbursed, subject to statutory limitations, from the State farm operations program budget.

Sec. 10. Chapter 1457 of the 1973 Session Laws (2nd Session 1974), except Section 7 thereof, is hereby repealed.

Sec. 11. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.