

**§ 125-2. Powers and duties of Department of Natural and Cultural Resources.**

The Department of Natural and Cultural Resources shall have the following powers and duties:

- (1) To adopt a seal for use in official business.
- (2) To make to the Governor, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the chairs of the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources, the chairs of the House of Representatives Appropriations Committee on Agriculture and Natural and Economics Resources, and the Fiscal Research Division a biennial report of its activities and needs, including recommendations for improving its services to the State, by February 15 of each odd-numbered year.
- (3) To accept gifts, devises, and endowments for the purposes which fall within the general legal powers and duties of the Department of Natural and Cultural Resources. Unless otherwise specified by the donor or testator, the Department of Natural and Cultural Resources may either expend both the principal and interest of any gift or devise or may invest such sums in whole or in part, by and with the consent of the State Treasurer, in securities in which sinking funds may be invested under the provisions of G.S. 142-34.
- (4) To purchase and maintain collections of books, periodicals, newspapers, maps, films, audiovisual and other materials; to subscribe to computerized databases; to provide other resources, services and programs; and to serve as an information distribution center for State government and the people of the State as a means for the promotion of knowledge, education, commerce and business in the State. The scope of the library's collections, resources and services should be determined by the Secretary of Natural and Cultural Resources upon consideration of the recommendations of the State Library Commission; and in making these decisions, the Secretary shall take into account the collections, resources and services of other libraries throughout the State and the availability of such collections, resources and services to the general public. All materials owned by the State Library shall be available for free circulation to libraries and to all citizens of the State under rules and regulations fixed by the librarian, except that the librarian may restrict the circulation of books and other materials which, because they are rare or are used intensively in the library for reference purposes or for other good reasons, should be retained in the library at all times. The public schools shall be given equal priority in borrowing all films which are available for circulation.
- (5) To give assistance, advice and counsel to other State agencies maintaining special reference collections as to the best means of establishing and administering such libraries and collections.
- (5a) To provide for the establishment and maintenance of union catalogs.
- (6) To fix reasonable penalties for damage to or failure to return any book, periodical or other material owned by the Department of Natural and Cultural Resources, or for violation of any rule or regulation concerning the use of books, periodicals, and other materials in the custody of the Department of Natural and Cultural Resources.
- (7) Repealed by Session Laws 1987, c. 199, s. 4.
- (8) To give assistance, advice and counsel to all libraries in the State, to all communities which may propose to establish libraries, and to all persons

interested in public libraries, as to the best means of establishing and administering such libraries, as to the selection of books, cataloguing, maintenance and other details of library management.

- (9) To provide library services to blind and physically handicapped readers of North Carolina by making available to them books and other reading materials in braille, or sound recordings or any other medium used by the blind and physically handicapped; to enter into contracts and agreements with appropriate libraries and other organizations for the purposes of serving the blind and physically handicapped; to enter into contracts with library agencies of other states for providing library service to the blind and physically handicapped of those states, provided adequate compensation is paid for such service and such contract is otherwise advantageous to this State.
- (10) To do the following:
  - a. Plan and coordinate cooperative programs between the various types of libraries within the State of North Carolina.
  - b. Coordinate State development with regional and national cooperative library programs.
  - c. Assist nonprofit corporations in the organization and operation of cooperative programs.
  - d. Enter into contracts to coordinate cooperative programs or to promote the access and exchange of library materials under this subdivision. (1955, c. 505, s. 3; 1961, c. 1161; 1973, c. 476, s. 84; 1977, c. 645, s. 1; 1981, c. 918, s. 4; 1983, c. 819; 1987, c. 199; 2011-284, s. 88; 2015-241, ss. 14.30(s), (t); 2017-57, ss. 14.1(ff), 14.5.)