

1 **SECTION 1.(b)** Preservation or conservation agreements required on all
2 sales. – The sale of property in this area shall be subject to preservation or conservation
3 agreements as defined in G.S. 121-35 that ensure that the use of the property is
4 consistent with the historic and architectural character of the district. The Historic
5 Preservation Foundation of North Carolina, Inc., shall be a party to all preservation or
6 conservation agreements entered into pursuant to this act. The Historic Preservation
7 Foundation of North Carolina, Inc., is authorized to enforce such agreements in
8 accordance with G.S. 121-39.

9 **SECTION 1.(c)** Procedures for the sale of properties. – Due to (i) the
10 significant architectural, archaeological, artistic, cultural, or historical associations of
11 these properties, (ii) the properties' relationship to other property that is significant for
12 architectural, archaeological, artistic, cultural, or historical associations, and (iii) the
13 requirement that a preservation agreement or conservation agreement as defined in G.S.
14 121-35 is placed in the deed conveying said property from the State, these properties
15 shall be sold by private negotiation and sale, and all such sales shall be approved by the
16 State Property Office.

17 When a property available for sale is not to be sold and used as a private
18 residence, advertisement of the availability of that property for sale shall occur at least
19 45 days prior to any private negotiations for the sale of that property. Also, an
20 announcement of the terms of the proposed sale and an opportunity for public comment
21 on the proposed sale shall occur at least 45 days prior to the sale.

22 When a property available for sale is to be sold and used as a private
23 residence, advertisement of the availability of that property for sale shall occur at least
24 45 days prior to any private negotiations for the sale of that property. The property may
25 then be sold without a 45-day public comment period.

26 The Department of Administration shall use the services of the Historic
27 Preservation Foundation of North Carolina, Inc., to assist it in the administration of this
28 act.

29 **SECTION 2.** Use of the net proceeds of sales. – The net proceeds of any
30 sale made in accordance with this act shall be handled in the following priority order:

- 31 (1) The funds shall be used in accordance with the provisions of any trust
32 or other instrument of title under which title to the real property was
33 acquired by the State. The term "net proceeds" means the gross
34 amount received from the sale of any such property less any expenses
35 incurred incident to that sale, subject to regulations adopted by the
36 Governor and approved by the Council of State.
- 37 (2) The next ten million dollars (\$10,000,000) of the funds shall be placed
38 in a special trust fund in the Department of State Treasurer, hereinafter
39 to be held in trust and used solely for the upkeep, repair, and
40 maintenance of State-owned properties not to be sold hereunder and
41 located within the Blount Street Historic District. The State Treasurer,
42 as custodian of the special trust fund, shall authorize the use of interest
43 earned by the special trust fund only for such purposes approved by
44 the Governor and the Secretary of Cultural Resources. The State

1 Treasurer shall authorize the use of the principal only as authorized by
2 the General Assembly and approved by the Governor and the
3 Secretary of Cultural Resources.

4 (3) The remainder of the funds shall be deposited in the General Fund.

5 **SECTION 3.(a)** Establishment of the Blount Street Historic District
6 Oversight Committee. – The Blount Street Historic District Oversight Committee is
7 established in the Office of the Governor.

8 **SECTION 3.(b)** Membership of the Committee. – The Committee shall
9 consist of six members appointed as follows:

- 10 (1) Two members appointed by the Governor, one of whom shall be a
11 person with experience in urban planning;
12 (2) Two members appointed by the President Pro Tempore of the Senate,
13 one of whom shall be a person with experience in historic
14 preservation; and
15 (3) Two members appointed by the Speaker of the House of
16 Representatives, one of whom shall be a resident of Historic Oakwood
17 in Raleigh.

18 In making initial appointments to the Committee, the appointing officers shall
19 designate one appointee to serve for a term of four years ending July 1, 2007, and one a
20 term of six years ending July 1, 2009. Subsequent terms shall be for four years. A
21 member shall continue to serve until the member's successor is appointed. A vacancy
22 shall be filled for the remainder of the term by the officer who made the original
23 appointment.

24 In making all appointments, the appointing officer shall consider the unique
25 historic and architectural nature of the area and shall appoint people who are dedicated
26 to preserving it.

27 **SECTION 3.(c)** Purpose of the Committee. – The purpose of the Committee
28 shall be to monitor the implementation of this act.

29 **SECTION 4.** Implementation plan for this act. – Prior to September 1, 2003,
30 the Department of Administration shall submit to the Blount Street Historic District
31 Oversight Committee a plan for the implementation of this act and a schedule for
32 implementation of the plan. The plan shall provide for the sale of any property that is
33 vacant for more than three months. The plan may also provide for the sale of property
34 in separate parcels.

35 **SECTION 5.** G.S. 143B-79 reads as rewritten:

36 "**§ 143B-79.** Executive Mansion Fine Arts Committee – creation, powers and duties.

37 There is hereby created the Executive Mansion Fine Arts Committee. The Executive
38 Mansion Fine Arts Committee shall have the following functions and duties:

- 39 (1) To advise the Secretary of Cultural Resources on the preservation and
40 maintenance of the Executive Mansion located at 200 North Blount
41 Street, Raleigh, North Carolina;
42 (2) To encourage gifts and objects of art, furniture and articles of
43 historical value for furnishing the Executive Mansion, and advise the

1 Secretary of Cultural Resources on major changes in the furnishings of
2 the Mansion;

3 (3) To make recommendations to the Secretary of Cultural Resources
4 concerning major renovations necessary to preserve and maintain the
5 structure;

6 (4) To aid the Secretary of Cultural Resources in keeping a complete list
7 of all gifts and articles received together with their history and value;

8 (4a) To advise the Secretary of Cultural Resources on the use of funds from
9 the special trust fund held in trust by the State Treasurer for the
10 upkeep, repair, and maintenance of State-owned property located
11 within the Blount Street Historic District to the extent that such funds
12 are to be used for the upkeep, repair, and maintenance of the Executive
13 Mansion. These funds shall not be expended without the approval of
14 the Committee;

15 (5) No gifts or articles shall be accepted for the Executive Mansion
16 without the approval of the Committee;

17 (6) The Committee shall advise the Secretary of Cultural Resources upon
18 any matter the Secretary may refer to it; and

19 (7) The Committee may dispose of property held in the Executive
20 Mansion after consultation with a review committee comprised of one
21 person from the Executive Mansion Fine Arts Committee, appointed
22 by its chairman; one person from the Department of Administration
23 appointed by the Secretary of Administration; and two qualified
24 professionals from the Department of Cultural Resources, Division of
25 Archives and History, appointed by the Secretary of Cultural
26 Resources. Upon request of the Executive Mansion Fine Arts
27 Committee, the review committee will view proposed items for
28 disposition and make a recommendation to the North Carolina
29 Historical Commission who will make a final decision. The Historical
30 Commission must consider whether the disposition is in the best
31 interest of the State of North Carolina. If such property is sold, (i) if
32 the records with regard to the property reflect that it was acquired by
33 the State by gift or devise the net proceeds of each such sale shall be
34 deposited in the State Treasury to the credit of the Executive Mansion,
35 Special Fund, and shall be used only for the purchase, conservation,
36 restoration or repair of other property for use in the Executive Mansion
37 and; (ii) if the records with regard to the property reflect that the
38 property was acquired by the State by purchase with appropriated
39 funds or do not show the manner of acquisition, the net proceeds of
40 such sale shall be deposited in the General Fund."

41 **SECTION 6.** This act is effective when it becomes law.