

Part 4. North Carolina Historical Commission.

**§ 143B-62. North Carolina Historical Commission – creation, powers and duties.**

There is hereby created the North Carolina Historical Commission of the Department of Natural and Cultural Resources to give advice and assistance to the Secretary of Natural and Cultural Resources and to promulgate rules and regulations to be followed in the acquisition, disposition, preservation, and use of records, artifacts, real and personal property, and other materials and properties of historical, archaeological, architectural, or other cultural value, and in the extension of State aid to other agencies, counties, municipalities, organizations, and individuals in the interest of historic preservation.

- (1) The Historical Commission shall have the following powers and duties:
  - a. To advise the Secretary of Natural and Cultural Resources on the scholarly editing, writing, and publication of historical materials to be issued under the name of the Department.
  - b. To evaluate and approve proposed nominations of historic, archaeological, architectural, or cultural properties for entry on the National Register of Historic Places.
  - c. To evaluate and approve the State plan for historic preservation as provided for in Chapter 121.
  - d. To evaluate and approve historic, archaeological, architectural, or cultural properties proposed to be acquired and administered by the State.
  - e. To evaluate and prepare a report on its findings and recommendations concerning any property not owned by the State for which State aid or appropriations are requested from the Department of Natural and Cultural Resources, and to submit its findings and recommendations in accordance with Chapter 121.
  - f. To serve as an advisory and coordinative mechanism in and by which State undertakings of every kind that are potentially harmful to the cause of historic preservation within the State may be discussed, and where possible, resolved, particularly by evaluating and making recommendations concerning any State undertaking which may affect a property that has been entered on the National Register of Historic Places as provided for in Chapter 121 of the General Statutes of North Carolina.
  - g. To exercise any other powers granted to the Commission by provisions of Chapter 121 of the General Statutes of North Carolina.
  - h. To give its professional advice and assistance to the Secretary of Natural and Cultural Resources on any matter which the Secretary may refer to it in the performance of the Department's duties and responsibilities provided for in Chapter 121 of the General Statutes of North Carolina.
  - i. To serve as a search committee to seek out, interview, and recommend to the Secretary of Natural and Cultural Resources one or more experienced and professionally trained historian(s) for either the position of Deputy Secretary of Archives and History when a vacancy occurs, and to assist and cooperate with the Secretary in periodic reviews of the performance of the Deputy Secretary.
  - j. To assist and advise the Secretary of Natural and Cultural Resources and the Deputy Secretary of Archives and History in the

- development and implementation of plans and priorities for the State's historical programs.
- (2) The Historical Commission shall have the power and duty to establish standards and provide rules and regulations as follows:
- a. For the acquisition and use of historical materials suitable for acceptance in the North Carolina Office of Archives and History.
  - b. For the disposition of public records under provisions of Chapter 121 of the General Statutes of North Carolina.
  - c. For the certification of records in the North Carolina State Archives as provided in Chapter 121 of the General Statutes of North Carolina.
  - d. For the use by the public of historic, architectural, archaeological, or cultural properties as provided in Chapter 121 of the General Statutes of North Carolina.
  - e. For the acquisition of historic, archaeological, architectural, or cultural properties by the State.
  - f. For the extension of State aid or appropriations through the Department of Natural and Cultural Resources to counties, municipalities, organizations, or individuals for the purpose of historic preservation or restoration.
  - f1. For the extension of State aid or appropriations through the Department of Natural and Cultural Resources to nonstate-owned nonprofit history museums.
  - g. For qualification for grants-in-aid or other assistance from the federal government for historic preservation or restoration as provided in Chapter 121 of the General Statutes of North Carolina. This section shall be construed liberally in order that the State and its citizens may benefit from such grants-in-aid.
- (3) The Commission shall adopt rules and regulations consistent with the provisions of this section. All current rules and regulations heretofore adopted by the Executive Board of the State Department of Archives and History, the Historic Sites Advisory Committee, the North Carolina Advisory Council on Historical Preservation, and the Executive Mansion Fine Arts Commission shall remain in full force and effect unless and until repealed or superseded by action of the Historical Commission. All rules and regulations adopted by the Commission shall be enforced by the Department of Natural and Cultural Resources. (1973, c. 476, s. 44; 1977, c. 513, s. 2; 1979, c. 861, s. 6; 1985 (Reg. Sess., 1986), c. 1014, s. 171(f); 1997-411, ss. 1-3; 2002-159, s. 35(k); 2015-184, s. 8; 2015-241, s. 14.30(s), (t).)