GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2007

SENATE DRS85418-MCx-254A (5/14)

Short Title: UNC Nonappropriated Capital Projects.

Sponsors:Senators Kerr, and Stevens.Referred to:

1	A BILL TO BE ENTITLED
2	AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING,
3	WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN
4	CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT
5	INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND REVISE
6	UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS.
7	The General Assembly of North Carolina enacts:
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9	PART I. SELF-LIQUIDATING PROJECTS
10	SECTION 1.1. The purpose of this act is: (i) to authorize the construction by
11	certain constituent institutions of The University of North Carolina of the capital
12	improvements projects listed in the act for the respective institutions, and (ii) to
13	authorize the financing of these projects with funds available to the institutions from
14	gifts, grants, receipts, liquidating indebtedness, Medicare reimbursements for education
15	costs, or other funds, or any combination of these funds, but not including funds
16	received for tuition or appropriated from the General Fund of the State.
17	SECTION 1.2. The capital improvements projects, and their respective
18	costs, authorized by this act to be constructed and financed as provided in Section 1.1 of
19	this act, including by revenue bonds, by special obligation bonds as authorized in
20	Section 5.1 of this act, or by both, are as follows:
21	
22	Appalachian State University
23	Kidd Brewer Stadium Improvements\$8,300,000
24	
25	East Carolina University
26	Athletic Facilities Expansion and Improvements30,000,000Division Exclusion0.700,000
27	Dining Facilities Improvements 9,700,000

(Public)

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	Residence Halls Improvements and Expansion	28,500,000
	Dowdy-Ficklen Stadium Improvements	24,000,000
	North Carolina Central University	
	Student Facilities Improvements	11,500,000
	North Carolina State University	
	Student Health Center Expansion	10,900,000
	Avent Ferry Administration Center Renovation	5,200,000
	Centennial Campus Tenant Space Renovations	10,000,000
	Collaborative Research Building I	35,000,000
	The University of North Carolina at Chapel Hill	
	Athletic Facilities Renovation and Expansion	7,023,000
	Carmichael Auditorium – Supplement	9,500,000
	Carmichael Residence Hall – Supplement	1,300,000
	Dental Sciences Teaching and Learning Building	26,000,000
	Fetzer Gymnasium Expansion	2,500,000
	Kenan Stadium Expansion, Phase I	50,000,000
	Mary Ellen Jones Animal Facility Renovation	10,000,000
	Medical Research Building D Renovation and Expansion	5,000,000
	Old East and Old West Residence Halls Improvements –	
	Supplement	3,200,000
	Research Resource Facility – Phase III	8,600,000
	Robertson Scholars Site Preparation	1,900,000
	Woollen Gymnasium (Sports Medicine) – Supplement	1,500,000
	Chilled Water Infrastructure	6,000,000
	Cogeneration and Steam Infrastructure Improvements and Expan	sion17,700,000
	Electrical Infrastructure Improvements	13,500,000
	The University of North Carolina at Charlotte	
	Residence Hall Fire Suppression Sprinkler System Installation	16,200,000
	The University of North Carolina at Greensboro	
	Cone Residence Hall Fire Alarm System Replacement	948,000
	North and South Spencer Residence Hall Improvements	5,978,000
	Baseball Locker Room and Training Facility	2,800,000
	The University of North Carolina at Wilmington	
	Student Recreation Center Expansion	35,000,000
	Winston-Salem State University	_
	Student Activities Center	3,750,000

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1 2	SECTION 1.3. Pursuant to G.S. 143C-8-12, the following projects are authorized for planning only and, for that purpose, are to be funded entirely with
3 4	non-General Fund money:
4 5	Appalachian State University
6	Student Residential, Learning and Activity Development –
7	Advance Planning \$6,400,000
8	
9	Fayetteville State University
10	Student Residence Hall and Fitness Center – Advance Planning 5,900,000
11	
12	The University of North Carolina at Charlotte
13	Partnership, Outreach, and Research for Accelerated Learning
14	(PORTAL) Building – Advance Planning 5,000,000
15	Motorsports Building II – Advance Planning 800,000
16	SECTION 1.4 At the manual of the Decad of Communication of The University
17	SECTION 1.4. At the request of the Board of Governors of The University
18	of North Carolina and upon determining that it is in the best interest of the State to do so, the Director of the Budget may authorize an increase or decrease in the cost of, or a
19 20	change in the method of, funding the projects authorized by this act. In determining
20 21	whether to authorize a change in cost or funding, the Director of the Budget may consult
$\frac{21}{22}$	with the Joint Legislative Commission on Governmental Operations.
22	SECTION 1.5. Pursuant to G.S. 116D-26, the Board of Governors may
23 24	issue, subject to the approval of the Director of the Budget, at one time or from time to
25	time, special obligation bonds of the Board of Governors for the purpose of paying all
26	or any part of the cost of acquiring, constructing, or providing for the projects
27	authorized by Section 1.2 of this act. The maximum principal amount of bonds to be
28	issued shall not exceed the specified project costs in Section 1.2 of this act plus
29	twenty-five million dollars (\$25,000,000) for related additional costs, such as issuance
30	expenses, funding of reserve funds, and capitalized interest.
31	SECTION 1.6. With respect to the University of North Carolina at Chapel
32	Hill's Research Resource Facility – Phase III capital project, East Carolina University's
33	Athletic Facilities Expansion and Improvements capital project, and North Carolina
34	State University's Avent Ferry Administration Center Renovation capital project, the
35	institution may accomplish construction and financing notwithstanding the requirement
36	in G.S. 116D-22(5) as to location at the institution.
37	SECTION 1.7. With respect to The University of North Carolina at Chapel
38	Hill's Kenan Stadium - Expansion, Phase I, capital project, the institution may
39	accomplish construction and financing through lease arrangements to and from the
40	Educational Foundation, Inc.
41	SECTION 1.8. With respect to Appalachian State University's Kidd Brewer
42	Stadium Improvements capital project, the institution may accomplish construction and financing through lasse arrangements to and from the Appeloshian State University
43 44	financing through lease arrangements to and from the Appalachian State University Foundation, Inc.
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Building

1 **SECTION 1.9.** With respect to The University of North Carolina at Chapel 2 Hill's Cogeneration and Steam Infrastructure Improvements and Expansion capital 3 project, the institution may accomplish the construction and financing of the Landfill 4 Gas Utilization portion thereof notwithstanding the requirement in G.S. 116D-22(5) as 5 to location of the special obligation project at the institution. The University of North 6 Carolina at Chapel Hill may enter into any other required agreements as necessary for 7 the completion of the improvements, notwithstanding any other provisions of the General Statutes governing such acquisition, negotiation, and execution of such 8 9 rights-of-way, easements, leases, or other required agreements therefor.

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PART II. REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS

12 **SECTION 2.** Pursuant to Section 2(b) of S.L. 2000-3, the General Assembly 13 finds that it is in the best interest of the State to respond to current educational and 14 research program requirements at The University of North Carolina at Chapel Hill by 15 reducing the scope of "Berryhill Laboratory Building - Comprehensive Renovation." The unused funds from "Berryhill Laboratory Building – Comprehensive Renovation" 16 17 should be transferred to a new capital project "Division of Laboratory Animal Medicine 18 Upfits." Section 2(a) of S.L. 2000-3 is therefore amended in the portion under The 19 University of North Carolina at Chapel Hill by:

portion

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dollars (\$2,100,000); and
(2) Adding a new project entitled "Division of Laboratory Animal Medicine – Upfits" with an amount of eight million six hundred thousand dollars (\$8,600,000).

Comprehensive Renovation" by eight million six hundred thousand

dollars (\$8,600,000) so that it reads two million one hundred thousand

to

"Berryhill Laboratory

28 PART III. PROCUREMENT MODIFICATIONS

Reducing

SECTION 3. G.S. 42-94 reads as rewritten:

the

30 "§ 142-94. Procurement of capital facilities.

(1)

31 The provisions of Articles 3, 3B, 3C, 3D, and 8 of Chapter 143 of the General 32 Statutes and any other laws or rules of the State that relate to the acquisition and 33 construction of State property apply to the financing of capital facilities through the use 34 of special indebtedness pursuant to this Article. This section does not apply to the 35 construction and lease-purchase, including leases with an option to purchase at the end 36 of the lease term for a nominal sum, of State office buildings pursuant to proposals 37 submitted before the effective date of this Article in response to requests for proposals, 38 to the extent any of those proposals, as they may be supplemented or amended, are 39 approved by the Department of Administration and any of these leases or lease-purchase 40 agreements are approved by the Council of State in accordance with G.S. 143-341(4)d2. 41 This section does not apply to any special indebtedness issued pursuant to this Article 42 for the purchase, construction, or operation of capital facilities by Gateway University Research Park, Inc., a joint Millennial Campus in Greensboro, North Carolina." 43

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1 **PART IV. EFFECTIVE DATE**

2 **SECTION 4.** This act is effective when it becomes law.