

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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**SENATE BILL 480
Finance Committee Substitute Adopted 6/27/13
Third Edition Engrossed 7/2/13**

Short Title: UNC Capital Improvement Projects.

(Public)

Sponsors:

Referred to:

March 28, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE
3 FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF
4 CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT
5 INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

6 The General Assembly of North Carolina enacts:

7
8 **STATEMENT OF PURPOSE**

9 **SECTION 1.** The purpose of this act is to authorize (i) the acquisition or
10 construction of the capital improvements projects listed in this act for the respective institutions
11 of The University of North Carolina and (ii) the financing of these projects with funds available
12 to the institutions from gifts, grants, receipts, self-liquidating indebtedness, Medicare
13 reimbursements for education costs, hospital receipts from patient care, or other funds, or any
14 combination of these funds, but not including funds received for tuition or appropriated from
15 the General Fund of the State unless previously authorized by General Statute.

16 **SECTION 2.(a)** The capital improvements projects and their respective costs
17 authorized by this act to be constructed and financed as provided in Section 1 of this act,
18 including by revenue bonds, by special obligation bonds as authorized in Section 4 of this act,
19 or by both, are as follows:

20
21 **Appalachian State University**

22 Anne Belk Hall Renovations \$ 4,000,000

23 Soccer Field to Field Hockey Renovation 1,500,000

24
25 **East Carolina University**

26 Belk Residence Hall Demolition and Reconstruction – Supplement 16,000,000

27 Women and Children's Clinic Facility 71,605,960

28
29 **North Carolina A&T State University**

30 New Student Center 90,000,000

31
32 **North Carolina State University**

33 Carmichael Locker Room Renovation 7,600,000

34
35 **The University of North Carolina at Chapel Hill**



| | | |
|----|---|------------|
| 1 | Rizzo Center Phase III Acquisition | 36,000,000 |
| 2 | Odum Village Replacement | 25,000,000 |
| 3 | Craige Parking Deck – Supplement | 4,000,000 |
| 4 | | |
| 5 | The University of North Carolina at Charlotte | |
| 6 | Holshouser Hall Renovation | 16,000,000 |
| 7 | Oak Hall Renovation, Phase V | 8,900,000 |
| 8 | Residence Hall, Phase XIII | 34,750,000 |
| 9 | | |
| 10 | The University of North Carolina at Greensboro | |
| 11 | Spartan Village Phase I Acquisition | 67,000,000 |
| 12 | | |
| 13 | Western Carolina University | |
| 14 | Upper Campus New Residence Hall | 48,000,000 |
| 15 | | |
| 16 | Winston-Salem State University | |
| 17 | Bowman Gray Stadium & Civitan Park Acquisition | 7,500,000 |
| 18 | New Residence Hall – Freshmen Living/Learning | 20,800,000 |
| 19 | | |

20 **SECTION 2.(b)** Before undertaking a project authorized by this section or
 21 undertaking the associated cost and no later than October 1, 2013, the Board of Governors of
 22 The University of North Carolina shall prepare an estimate and shall report the estimate to the
 23 Joint Legislative Commission on Governmental Operations. The estimate shall include all of
 24 the following:

- 25 (1) The total anticipated cost associated with each project.
- 26 (2) The resources being pledged for each project, including (i) the preceding
 27 five fiscal years of any revenue stream anticipated to be obligated and
 28 current expenditures and obligations associated with each such revenue
 29 stream and (ii) a forecast of not less than five fiscal years of any revenue
 30 stream anticipated to be newly obligated or anticipated to be obligated to a
 31 greater extent for purposes of financing the project.
- 32 (3) Anticipated term, interest rate, structure, and debt servicing schedule of any
 33 financing of costs for each authorized project.
- 34 (4) Anticipated operating costs associated with each project for not less than
 35 five fiscal years, including the source of the funds.

36 **SECTION 3.** At the request of the Board of Governors of The University of North
 37 Carolina and upon determining that it is in the best interest of the State to do so, the Director of
 38 the Budget may authorize an increase or decrease in the cost of, or a change in the method of,
 39 funding the projects authorized by this act. In determining whether to authorize a change in cost
 40 or funding, the Director of the Budget may consult with the Joint Legislative Commission on
 41 Governmental Operations.

42 **SECTION 4.** Pursuant to G.S. 116D-26, the Board of Governors may issue, subject
 43 to the approval of the Director of the Budget, at one time or from time to time, special
 44 obligation bonds of the Board of Governors for the purpose of paying all or any part of the cost
 45 of acquiring, constructing, or providing for the projects authorized by Section 2 of this act. The
 46 maximum principal amount of bonds to be issued shall not exceed the specified project costs in
 47 Section 2 of this act plus five percent (5%) of such amount to pay issuance expenses, fund
 48 reserve funds, pay capitalized interest, and pay other related additional costs, plus any increase
 49 in the specific project costs authorized by the Director of the Budget pursuant to Section 3 of
 50 this act.

1 **SECTION 5.** With respect to Winston-Salem State University's Bowman Gray &
2 Civitan Park Acquisition project, the institution may accomplish construction, acquisition, and
3 financing notwithstanding the requirement in G.S. 116D-22(5) as to location at the institution
4 and either through (i) direct ownership of the project or (ii) by participation in a long-term
5 agreement with the City of Winston-Salem if all of the following requirements are met:

- 6 (1) Where the property that is the subject of the project is a stadium that
7 supports a NASCAR-sanctioned one-fourth mile asphalt flat oval short track,
8 the stadium is not renamed.
- 9 (2) Where the property that is the subject of the project is a stadium that
10 supports a NASCAR-sanctioned one-fourth mile asphalt flat oval short track,
11 no parking fees are charged for racing events at the stadium.
- 12 (3) Where the property that is the subject of the project is a stadium that
13 supports a NASCAR-sanctioned one-fourth mile asphalt flat oval short track,
14 no prohibitions are placed on spectators of racing events at the stadium that
15 would prohibit the spectators from entering with food, nonalcoholic
16 beverages, or both. Nothing in this subdivision shall prohibit regulations
17 imposed on containers deemed necessary for public safety.
- 18 (4) Where the property that is the subject of the project is a stadium that
19 supports a NASCAR-sanctioned one-fourth mile asphalt flat oval short track,
20 the institution continues to make the property available for racing and
21 racing-related events in a manner consistent with and under terms similar to
22 those agreed upon for the use of the property immediately prior to the
23 acquisition.

24 **SECTION 6.** In support of Section 5 of this act and "NASCAR's longest-running
25 weekly race track" located within Bowman Gray Stadium, G.S. 18B-1006(a) reads as rewritten:

26 "(a) School and College Campuses. – No permit for the sale of malt beverages,
27 unfortified wine, or fortified wine shall be issued to a business on the campus or property of a
28 public school or college, other than at a regional facility as defined by G.S. 160A-480.2
29 operated by a facility authority under Part 4 of Article 20 of Chapter 160A of the General
30 Statutes except for a public school or college function, unless that business is a hotel or a
31 nonprofit alumni organization with a mixed beverages permit or a special occasion permit. This
32 subsection shall not apply on property owned by a local board of education which was leased
33 for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing
34 board is appointed by a city board of aldermen, a county board of commissioners, or a local
35 school board. This subsection shall also not apply to the constituent institutions of The
36 University of North Carolina with respect to the sale of beer and wine at (i) performing arts
37 centers located on property owned or leased by the institutions if the seating capacity does not
38 exceed 2,000 ~~seats, or to seats;~~ (ii) any golf courses that support a NASCAR-sanctioned one-fourth
39 mile asphalt flat oval short track, that are owned or leased by the institutions, and that only sell
40 malt beverages, unfortified wine, or fortified wine at events that are not sponsored or funded by
41 the institutions."

42 **SECTION 7.** This act is effective when it becomes law.
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