

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 919  
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Short Title: First Flight Incubator System.

(Public)

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Sponsors: Senator Martin of Pitt.

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Referred to: Economic Development.

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May 13, 1991

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE NORTH CAROLINA FIRST FLIGHT SYSTEM AS  
2 A NETWORK OF BUSINESS INCUBATORS TO CREATE NEW JOBS,  
3 INCREASE THE COMPETITIVENESS OF COMPANIES ACROSS NORTH  
4 CAROLINA THROUGH THE COMMERCIALIZATION OF RESEARCH AND  
5 NEW TECHNOLOGIES, AND TRANSFER THE FUNCTIONS AND ASSETS OF  
6 THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY  
7 TO A PRIVATE, NONPROFIT CORPORATION.  
8

9 The General Assembly of North Carolina enacts:

10 Section 1. G.S. 143B-471.3A reads as rewritten:

11 "**§ 143B-471.3A. Powers.**

12 In order to enable it to carry out the purposes of this Part, the Authority may:

- 13 (1) Exercise the powers granted corporations under G.S. 55-17;  
14 (2) Employ an executive director, whose salary shall be set by the General  
15 Assembly in the Current Operations Appropriations Act. The  
16 Authority may employ such other professional staff and clerical and  
17 secretarial staff as it deems necessary within the funds available to it.  
18 The salaries of such other personnel shall be set under the State  
19 Personnel Act;  
20 (3) Establish an office for the transaction of its business at Raleigh;  
21 (4) Apply for and accept grants of money from the State of North  
22 Carolina, or any political subdivision thereof, from the United States,  
23 or from any person, corporation, foundation, trust, or business or from

1 any foreign government for any of the purposes authorized by this  
2 Part;

3 (5) Establish and administer the incubator facilities program;

4 (6) Administer the North Carolina Innovation Research Fund; ~~and~~

5 (7) Adopt reasonable rules to effectuate the purposes of this ~~Part~~ Part; ~~and~~

6 (8) Establish and administer the First Flight System, a network of business  
7 incubators across the State to transfer technologies into commercial  
8 applications by private industry."

9 (a) There is appropriated from the General Fund to the North Carolina  
10 Technological Development Authority the sum of \$300,000 for the 1991-92 fiscal year  
11 to implement and administer the First Flight System.

12 (b) There is appropriated from the General Fund to the North Carolina  
13 Technological Development Authority the sum of \$300,000 for the 1991-92 fiscal year  
14 for the Incubator Facilities Program.

15 (c) Any funds appropriated to the North Carolina Technological Development  
16 Authority that are unexpended at the end of the fiscal year shall not revert, but shall  
17 remain available for the purposes for which they were appropriated.

18 Sec. 3. Effective September 1, 1991, the statutory unexpended balances of  
19 appropriations, allocations, or other funds and all assets of the Technological  
20 Development Authority created in G.S. 143B-471 shall be transferred to the North  
21 Carolina Technological Development Authority, Inc., a private, nonprofit corporation.  
22 The North Carolina Technological Development Authority, Inc., shall use the funds and  
23 other assets transferred to it pursuant to this act for (i) an incubator facilities program,  
24 (ii) an innovation research fund, and (iii) the First Flight System, a network of  
25 incubators across the State to transfer technologies into commercial applications. The  
26 incubator facilities program shall be administered in accordance with the provisions of  
27 former G.S. 143B-471.4, repealed by this act. The innovation research fund shall be  
28 administered in accordance with the provisions of former G.S. 143B-471.5, repealed by  
29 this act.

30 Sec. 4. Effective September 1, 1991, Part 12 of Article 10 of Chapter 143B  
31 of the General Statutes is repealed.

32 Sec. 5. Effective September 1, 1991:

33 (1) The below described land and improvements, formerly known as the  
34 "Science and Technology Research Center", together with property  
35 installed in the building and other movable equipment and supplies  
36 shall be transferred by the State of North Carolina to The North  
37 Carolina Technological Development Authority, Inc.: BEGINNING at  
38 an iron pin located at North Carolina Grid Coordinate, north  
39 783,348.879 east 2,041,863.310; runs thence South 9 degrees 17  
40 minutes West 261.50 feet to an iron pin; runs thence North 67 degrees  
41 54 minutes West 698 feet to an iron pipe; runs thence North 37 degrees  
42 50 minutes East 48.50 feet to an iron pin; runs thence North 45 degrees  
43 50 minutes East 340.00 feet to an iron pin; runs thence North 13  
44 degrees 18 minutes East 345.72 feet to an iron pin in the southern line

1 of Cornwallis Road; runs thence along the southern line of Cornwallis  
2 Road along a slight curve having a diameter of 4 degrees 00 minutes, a  
3 tangent of 411.55 feet to a radius of 1,432.69 feet a distance of 363.82  
4 feet to an iron pin located in the southern line of Cornwallis Road;  
5 thence continuing along the southern line of Cornwallis Road South 65  
6 degrees 52 minutes East 63.47 feet to a concrete monument; thence  
7 along the right of way of Cornwallis Road and Davis Drive South 26  
8 degrees 42 minutes East 72.60 feet to a concrete monument; thence  
9 along the western line of the right of way of Davis Drive along a slight  
10 curve having a diameter of 1 degree 00 minutes a tangent of 351.27  
11 feet and a radius of 5,730.34 feet a distance of 342.05 feet to an iron  
12 pin at the point and place of BEGINNING and containing 8 acres  
13 according to a deed recorded in the Office of the Register of Deeds of  
14 Durham County, North Carolina, in Book 30, pages 378-380.

15 (2) The transfer made by this section shall be evidenced by a deed  
16 executed under G.S. 146-75 and registered in accordance with G.S.  
17 146-77. The deed shall provide that the property transferred by this  
18 section shall automatically revert to the State of North Carolina if the  
19 property is used for any purposes other than the purposes set forth in  
20 subdivision (3).

21 (3) The transfer made by this section is made on the condition that the  
22 North Carolina Technological Development Authority, Inc., shall use  
23 the property described in subdivision (1) solely as a business incubator  
24 serving technology research-based entrepreneurial companies in the  
25 Research Triangle Park. If the North Carolina Technological  
26 Development Authority, Inc., ceases to use the property for the  
27 purposes described in this section, then the property shall  
28 automatically revert to the State of North Carolina.

29 Sec. 6. Sections 3, 4, and 5 of this act become effective September 1, 1991.

30 The remainder of this act becomes effective July 1, 1991.