

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1079

Short Title: Const'l Amendment Limiting Nonvoted Debt. (Public)

Sponsors: Senators Berger of Rockingham; Allran, Apodaca, Blake, Brock, Brown, East, Forrester, Garwood, Goodall, Hunt, Jacumin, Pittenger, Presnell, Stevens, Tillman, and Webster.

Referred to: Ways and Means.

March 24, 2005

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE AMOUNT OF NONVOTED INDEBTEDNESS THE GENERAL ASSEMBLY IS AUTHORIZED TO INCUR OR ISSUE IN A SINGLE FISCAL YEAR TO TWENTY-FIVE MILLION DOLLARS UNLESS IT IS APPROVED BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina enacts:

SECTION 1. Section 3 of Article V of the North Carolina Constitution is amended by adding a new subdivision to read:

"(6) Limitation on nonvoted indebtedness. The General Assembly shall have no power to authorize the incurrence or issuance of more than twenty-five million dollars (\$25,000,000) of financing contract indebtedness during a single fiscal year unless the issue of the financing contract indebtedness is approved by a majority of the qualified voters of the State who vote on the issue. For purposes of this subdivision, the term 'financing contract indebtedness' means debt that is not secured by a pledge of the faith and credit of the State nor secured solely by revenues generated by the facility being financed by the debt."

SECTION 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the next statewide election, primary or otherwise, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be

" FOR AGAINST

Constitutional amendment limiting the amount of nonvoted indebtedness the General Assembly is authorized to incur or issue in a single fiscal year to twenty-five million dollars (\$25,000,000) unless the debt is approved by a vote of the people."

1 **SECTION 3.** If a majority of votes cast on the question are in favor of the
2 amendment set out in Section 1 of this act, the State Board of Elections shall certify the
3 amendment to the Secretary of State whereupon the amendment shall become effective.
4 The Secretary of State shall enroll the amendment so certified among the permanent
5 records of that office.

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