

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 444
PROPOSED COMMITTEE SUBSTITUTE S444-PCS75203-MC-22

Short Title: Nonappropriated Capital Projects.

(Public)

Sponsors:

Referred to:

March 29, 2011

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT
APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL
IMPROVEMENTS PROJECTS.

The General Assembly of North Carolina enacts:

STATEMENT OF PURPOSE

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

UNC CAPITAL IMPROVEMENT PROJECTS

SECTION 2. The capital improvements projects, and their respective costs, authorized by this act to be constructed and financed as provided in Section 1 of this act, including by revenue bonds, by special obligation bonds as authorized in Section 5 of this act, or by both, are as follows:

Appalachian State University

Winkler Residence Hall – Supplement	\$ 3,000,000
Belk Residence Hall	9,765,000

East Carolina University

Belk Residence Hall Demolition and Reconstruction	40,000,000
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North Carolina State University

Phytotron Energy Savings Performance Contract	6,200,000
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The University of North Carolina at Asheville

Mountain Area Health Education Center (MAHEC) Facility Acquisition	4,750,000
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2	The University of North Carolina at Chapel Hill	
3	Chilled Water Infrastructure Improvements	11,700,000
4	Steam and Hot Water Infrastructure Improvements	12,000,000
5	Craige Parking Deck – Supplement	8,000,000
6		
7	The University of North Carolina at Charlotte	
8	Campus Infrastructure Development	49,500,000
9	Residence Hall Phase XII	38,407,410
10	Cedar/Hickory/Sycamore (Phase IV-A) Renovation	10,000,000
11		
12	The University of North Carolina at Greensboro	
13	1600 W. Lee Street Parking Lot Improvements	3,432,000
14	Reynolds and Grogan Residence Hall Renovation	16,640,000
15		
16	Winston-Salem State University	
17	Restore the Core – Phase I (Hill Hall)	13,500,000
18	New Student Housing Building 1 Acquisition	14,500,000
19	South Campus Acquisitions and Improvements	7,500,000
20	North Campus Acquisitions and Improvements	7,000,000

21

22 **SECTION 3.** The capital improvements projects, and their respective costs,
 23 authorized by this act to be planned and financed as provided in Section 1 of this act, including
 24 by revenue bonds, by special obligation bonds as authorized in Section 5 of this act, or by both,
 25 are as follows:

26		
27	North Carolina A&T State University	
28	New Student Center	\$ 5,000,000
29	Williams Dining Hall Kitchen Replacement	500,000
30		
31	North Carolina Central University	
32	New – Student Health Services Center – Phase 1	700,000
33		
34	The University of North Carolina at Chapel Hill	
35	Athletic Facilities Master Plan and Phase 1 Improvements	5,000,000
36	Odum Village Replacement	5,000,000
37		
38	Winston-Salem State University	
39	Restore the Core – Phase II (Hauser, Pegram, Physical Plant)	1,500,000
40		

41 **SECTION 4.** At the request of the Board of Governors of The University of North
 42 Carolina and upon determining that it is in the best interest of the State to do so, the Director of
 43 the Budget may authorize an increase or decrease in the cost of, or a change in the method of,
 44 funding the projects authorized by this act. In determining whether to authorize a change in cost
 45 or funding, the Director of the Budget may consult with the Joint Legislative Commission on
 46 Governmental Operations.

47 **SECTION 5.** Pursuant to G.S. 116D-26, the Board of Governors may issue, subject
 48 to the approval of the Director of the Budget, at one time or from time to time, special
 49 obligation bonds of the Board of Governors for the purpose of paying all or any part of the cost
 50 of acquiring, constructing, or providing for the projects authorized by Section 2 and Section 3
 51 of this act. The maximum principal amount of bonds to be issued shall not exceed the specified

1 project costs in Section 2 and Section 3 of this act plus five percent (5%) of such amount to pay
 2 issuance expenses, fund reserve funds, pay capitalized interest, and pay other related additional
 3 costs, plus any increase in the specific project costs authorized by the Director of the Budget
 4 pursuant to Section 4 of this act.

5 **SECTION 6.** With respect to UNC-Chapel Hill's Chilled Water Infrastructure
 6 Improvements capital project, the institution may accomplish construction and financing
 7 notwithstanding the requirement in G.S. 116D-22(5) as to location at the institution and may
 8 accomplish the project either through (i) direct ownership of the project or (ii) an arrangement
 9 with Orange Water and Sewer Authority.

10 **SECTION 7.** With respect to Winston-Salem State University's New Student
 11 Housing Building 1 Acquisition project, the institution may accomplish construction,
 12 acquisition, and financing through arrangements to, from, and with Winston-Salem State
 13 University Foundation, Inc., and Winston-Salem State University Housing Foundation, LLC.

14 **SECTION 8.** With respect to Winston-Salem State University's South Campus
 15 Acquisitions and Improvements project, the institution may accomplish construction,
 16 acquisition, and financing notwithstanding the requirement in G.S. 116D-22(5) as to location at
 17 the institution and either through (i) direct ownership of the project or (ii) by participation in a
 18 long-term agreement with the City of Winston-Salem.

19 **SECTION 9.** G.S. 18B-1006(a) reads as rewritten:

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

37
 38 **NON-GENERAL FUND CAPITAL IMPROVEMENT AUTHORIZATIONS**

39 **SECTION 10.** The General Assembly authorizes the following capital projects to
 40 be funded with receipts or from other non-General Fund sources available to the appropriate
 41 department:

42	Amount of Non-General Fund
43 Name of Project	Funding Authorized for FY 2012-2013
44 Department of Public Safety	
45 Training Site Improvements	\$ 620,000
46 Aviation Facilities Improvements	600,000
47 Logistics Facilities Improvements	310,000
48 Career Tech. Ed. Ctr. – Stonewall Jackson Y.D.C.	163,332
49 Storage Sheds – Statewide	51,765
50 Readiness Centers Improvements	40,000
51 Track and Field Facility – Stonewall Jackson Y.D.C.	161,046

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2	Department of Agriculture	
3	Parking Improvement/Expansion-Raleigh Farmers Market	200,000
4	Wholesale Dock Enclosure – Raleigh Farmers Market	750,000
5	Phase II Greenhouse Exp. – Additional Funding – Tidewater RS	200,000
6	Phase II – Calf Barn Construction – Piedmont RS	150,000
7	Forest Road Construction	150,000
8	HVAC Campus Improvements – State Fairgrounds	2,500,000
9	Campus Infrastructure – State Fairgrounds	3,000,000
10	Renovations to Existing Buildings – State Fairgrounds	3,000,000
11	Hunt Horse Complex Site Rep & Improvements-State Fairgrounds	3,000,000
12		
13	Department of Cultural Resources	
14	NC Maritime Museum Gallants Channel Multi-Use Facility	1,115,000
15	N.C. Museum of Art Trail Improvement Project	370,000
16	Duke Homestead Picnic Shelter	175,000
17		
18	Department of Environment and Natural Resources	
19	Sound Side Dock & Education Gazebo at Roanoke Is. Aquarium	350,000
20	NC Zoo – Solar Pointe Restrooms	400,000
21		
22	Wildlife Resources Commission	
23	Agency Land Purchase	3,750,000
24	Table Rock Hatchery Building Replacement	75,000
25	Watha Hatchery Building Replacement	300,000
26	New Construction of Fishing Access Areas	240,000
27	New Construction of Boating Access Areas	800,000
28	Renovations of Existing Boating Access Areas	800,000
29	ADA Initiative of Existing Boating Access Areas	280,000
30	Infrastructure Repair and Renovation	1,500,000
31		
32	TOTAL AMOUNT OF NON-GENERAL FUND CAPITAL	
33	PROJECTS AUTHORIZED	\$25,051,143
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SECTION 11. This act is effective when it becomes law.