

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 833*

Short Title: UNC Nonappropriated Capital Projects.

(Public)

Sponsors: Senators Kerr; and Hoyle.

Referred to: Finance.

April 14, 1997

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 OF THE CONSTITUENT
INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.**

The General Assembly of North Carolina enacts:

Section 1. The purpose of this act is (i) to authorize the construction by certain constituent institutions of The University of North Carolina and the University of North Carolina - General Administration, of the capital improvements projects listed in the act for the respective institutions, and (ii) to authorize the financing of these projects with funds available to the institutions from gifts, grants, receipts, self-liquidating indebtedness, or other funds, or any combination of these funds, but not including funds appropriated from the General Fund of the State.

Section 2. The capital improvements projects authorized by this act to be constructed and financed as provided in Section 1 of this act are as follows:

1. Appalachian State University
 Small Group Housing \$10,748,300
 Bookstore Renovation and Expansion 3,710,200
2. East Carolina University

1	Renovations to Jarvis Residence Hall	4,644,800	
2	Life Safety Improvements in Nonacademic Facilities		3,550,500
3	Repairs to Dowdy-Ficklen Stadium	3,467,100	
4	3. North Carolina A & T State University		
5	Parking Deck	6,528,000	
6	4. North Carolina State University		
7	Installation of Air Conditioning and Sprinkler		
8	Systems - Five Residence Halls		14,187,000
9	Partners Building IV	16,200,000	
10	Centennial Campus Infrastructure	8,164,000	
11	5. The University of North Carolina at Chapel Hill		
12	Replace Coal Silos at the Cogeneration Facility	7,358,200	
13	Residence Hall Video Network & Communications		
14	Wiring		6,646,800
15	Renovation of Graham Memorial (Center for		
16	Undergraduate Excellence)		5,208,400
17	Building for the Institute for the Arts and		
18	Humanities		4,096,700
19	Paul J. Rizzo Conference Center	15,507,700	
20	6. The University of North Carolina at Charlotte		
21	Student Housing Phase VII Apartments	18,851,000	
22	Student Recreation Fields	1,355,700	
23	7. The University of North Carolina at Wilmington		
24	200-Bed Housing	6,351,100	
25	Parking Deck	7,069,500	
26	8. The University of North Carolina - General		
27	Administration		
28	Systemwide Sprinkler and Fire Detection Systems	18,402,000.	

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30 Section 3. With respect to three projects at the University of North Carolina at
31 Chapel Hill among those identified in Section 2 of this act, the institution is authorized, in
32 addition to those means of construction and financing authorized under Section 2 of this
33 act, to accomplish construction and financing through lease arrangements to and from
34 nonprofit corporations, as follows:

- 35 1. Renovation of Graham Memorial through lease with the University of
- 36 North Carolina at Chapel Hill Arts and Sciences Foundation,
- 37 Incorporated
- 38 2. Building for the Institute for Arts and Humanities through lease with the
- 39 J.R. Hyde, III Family Foundation
- 40 3. Renovation and buildings for the Paul J. Rizzo Conference Center
- 41 through lease with the Kenan-Flagler Business School Foundation.

42 The term of each lease may be for such duration as the parties agree, including the period
43 of capital improvement, and, if the nonprofit corporation incurs indebtedness to finance

1 construction, including the period required to retire the indebtedness. For the purposes of
2 contracting for the design, construction, and equipping of these facilities, the University
3 of North Carolina at Chapel Hill may enter into an agreement that provides for the
4 leasing nonprofit corporation to serve as the construction management agent, having
5 general supervision of the construction and equipping of the facility. Each leasing
6 nonprofit corporation and the University of North Carolina at Chapel Hill may enter into
7 combined contracts for project design, construction, and construction management. For
8 purposes of financing construction, the University of North Carolina at Chapel Hill may
9 enter into a long-term lease from the leasing nonprofit corporation. When a lease to a
10 nonprofit corporation authorized by this section ends, the University of North Carolina at
11 Chapel shall have the option (i) to receive the premises as improved, unencumbered
12 facilities of the institution if the premises as improved, meet all applicable standards for
13 possession and use by the institution as a State facility, or (ii) to receive the premises and
14 to remove or demolish the improvements made under the prior lease.

15 Section 4. At the request of The University of North Carolina Board of
16 Governors and upon determining that it is in the best interest of the State to do so, the
17 Director of the Budget may authorize an increase or decrease in the scope of, or a change
18 in the method of funding, the project authorized by this act. In determining whether to
19 authorize a change in scope or funding, the Director of the Budget may consult with the
20 Joint Legislative Commission on Governmental Operations. In no event may
21 appropriations from the General Fund be used for a project authorized by this act.

22 Section 5. This act is effective when it becomes law.