

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 444
Finance Committee Substitute Adopted 6/6/12
Third Edition Engrossed 6/14/12

Short Title: Nonappropriated Capital Projects.

(Public)

Sponsors:

Referred to:

March 29, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT
3 APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL
4 IMPROVEMENTS PROJECTS.

5 The General Assembly of North Carolina enacts:

6
7 **STATEMENT OF PURPOSE**

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

16
17 **UNC CAPITAL IMPROVEMENT PROJECTS**

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

22
23 **Appalachian State University**

24 Winkler Residence Hall – Supplement \$ 3,000,000

25 Belk Residence Hall 9,765,000

26
27 **East Carolina University**

28 Belk Residence Hall Demolition and Reconstruction 40,000,000

29
30 **North Carolina State University**

31 Phytotron Energy Savings Performance Contract 6,200,000

32
33 **The University of North Carolina at Asheville**

34 Mountain Area Health Education Center (MAHEC) Facility Acquisition 4,750,000

35



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

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

24		
25	North Carolina A&T State University	
26	New Student Center	\$ 5,000,000
27	Williams Dining Hall Kitchen Replacement	500,000
28		
29	North Carolina Central University	
30	New – Student Health Services Center – Phase 1	700,000
31		
32	The University of North Carolina at Chapel Hill	
33	Athletic Facilities Master Plan and Phase 1 Improvements	5,000,000
34	Odum Village Replacement	5,000,000
35		
36	Winston-Salem State University	
37	Restore the Core – Phase II (Hauser, Pegram, Physical Plant)	1,500,000
38		

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

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

1 costs, plus any increase in the specific project costs authorized by the Director of the Budget
 2 pursuant to Section 4 of this act.

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

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

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

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

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

35
 36 **NON-GENERAL FUND CAPITAL IMPROVEMENT AUTHORIZATIONS**

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

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

50
 51 Department of Agriculture

1	Parking Improvement/Expansion-Raleigh Farmers Market	200,000
2	Wholesale Dock Enclosure – Raleigh Farmers Market	750,000
3	Phase II Greenhouse Exp. – Additional Funding – Tidewater RS	200,000
4	Phase II – Calf Barn Construction – Piedmont RS	150,000
5	Forest Road Construction	150,000
6	HVAC Campus Improvements – State Fairgrounds	2,500,000
7	Campus Infrastructure – State Fairgrounds	3,000,000
8	Renovations to Existing Buildings – State Fairgrounds	3,000,000
9	Hunt Horse Complex Site Rep & Improvements-State Fairgrounds	3,000,000
10	Temperature Monitoring System – Constable Laboratory	100,000
11	Cooler – Food Distribution Salisbury Warehouse	200,000
12	Market Renovations – Raleigh Farmers Market	1,000,000
13	Improvements/Renovations – Southeastern NC Agriculture Center	1,000,000
14	Wholesale Dock Improvements – Western NC Farmers Market	300,000
15		
16	Department of Cultural Resources	
17	NC Maritime Museum Gallants Channel Multi-Use Facility	1,115,000
18	N.C. Museum of Art Trail Improvement Project	370,000
19	Duke Homestead Picnic Shelter	175,000
20		
21	Department of Environment and Natural Resources	
22	Sound Side Dock & Education Gazebo at Roanoke Is. Aquarium	350,000
23	NC Zoo – Solar Pointe Restrooms	400,000
24		
25	Wildlife Resources Commission	
26	Agency Land Purchase	3,750,000
27	Table Rock Hatchery Building Replacement	75,000
28	Watha Hatchery Building Replacement	300,000
29	New Construction of Fishing Access Areas	240,000
30	New Construction of Boating Access Areas	800,000
31	Renovations of Existing Boating Access Areas	800,000
32	ADA Initiative of Existing Boating Access Areas	280,000
33	Infrastructure Repair and Renovation	1,500,000
34		
35	Department of Administration	
36	Sandhills Cemetery – Committal Structure	200,000
37		
38	TOTAL AMOUNT OF NON-GENERAL FUND CAPITAL	
39	PROJECTS AUTHORIZED	\$27,851,143
40		

SECTION 10.1. The Division of Veterans Affairs of the Department of Administration shall report on or before January 1, 2013, to the Joint Legislative Commission on Governmental Affairs on the status of the Committal Structure project located at the Sandhills Cemetery.

SECTION 11. This act is effective when it becomes law.