

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 833*
Finance Committee Substitute Adopted 4/28/97

Short Title: UNC Nonappropriated Capital Projects.

(Public)

Sponsors:

Referred to:

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

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

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

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

1 The term of each lease may be for such duration as the parties agree, not to exceed the
2 longer of the period of capital improvement, and, if the nonprofit corporation incurs
3 indebtedness to finance construction, the period required to retire the indebtedness. For
4 the purposes of contracting for the design, construction, and equipping of these facilities,
5 the University of North Carolina at Chapel Hill may enter into an agreement that provides
6 for the leasing nonprofit corporation to serve as the construction management agent,
7 having general supervision of the construction and equipping of the facility. Each leasing
8 nonprofit corporation and the University of North Carolina at Chapel Hill may enter into
9 combined contracts for project design, construction, and construction management. For
10 purposes of financing construction, the University of North Carolina at Chapel Hill may
11 enter into a long-term lease from the leasing nonprofit corporation. When a lease to a
12 nonprofit corporation authorized by this section ends, the University of North Carolina at
13 Chapel Hill shall have the option (i) to receive the premises as improved, unencumbered
14 facilities of the institution if the premises as improved meet all applicable standards for
15 possession and use by the institution as a State facility, or (ii) to receive the premises and
16 to remove or demolish the improvements made under the prior lease.

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

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