

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2006-146
SENATE BILL 1809**

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 AND TO
MAKE REVISIONS TO PREVIOUSLY AUTHORIZED INDEBTEDNESS FOR
VARIOUS CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT
INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

PART I. SELF-LIQUIDATING PROJECTS

SECTION 1.1. The purpose of this part is: (i) to authorize the construction or acquisition by certain constituent institutions of The University of North Carolina of the capital improvements projects listed in the part 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, Medicare reimbursements for education costs, or other funds, or any combination of these funds, but not including funds received for tuition or appropriated from the General Fund.

SECTION 1.2. The capital improvements projects, and their respective costs, authorized by this part to be constructed or otherwise acquired and financed as provided in Section 1.1 of this part, including by revenue bonds, by special obligation bonds as authorized in Section 1.5 of this part, or by both, are as follows:

Appalachian State University	
Central Dining Facility – Phase II	\$4,850,000
East Carolina University	
Mendenhall Student Center and Ledonia Wright Cultural Center – Expansion and Renovation	\$39,000,000
Todd Dining Hall – Renovation	\$2,100,000
Brody School of Medicine – Renovations.....	\$1,200,000
Brody School of Medicine – Health Science Campus – Renovations	\$6,000,000
Elizabeth City State University	
Residence Hall-Heating, Ventilating, and Air-Conditioning Improvements	\$1,500,000
North Carolina State University	
Derr Track – Renovation and Expansion – Phase II	\$2,500,000
Partners VI Building and Parking Deck	\$40,000,000
Centennial Campus Infrastructure	\$10,000,000
The University of North Carolina at Chapel Hill	
Food Service Facilities – Renovation and Expansion	\$3,500,000
Science Complex – Phase II	\$92,200,000

Carmichael Auditorium – Renovation and Expansion	\$15,000,000
Research Resource Facility – Phase II	\$12,400,000
Residence Halls – Improvements	\$2,000,000
Woollen Gymnasium – Renovation	\$4,500,000
Boshamer Baseball Stadium – Improvements.....	\$14,000,000
Cogeneration Warehouse.....	\$500,000
Steam Infrastructure Improvements	\$55,700,000
Electrical Infrastructure Improvements	\$29,530,000
Bell Tower Development – Phase I.....	\$10,000,000
Global Education & International Studies Center – Improvements.....	\$2,500,000
The University of North Carolina at Charlotte	
Prospector Hall – Renovation – Phase II.....	\$4,000,000
Residence Halls – Phase IX.....	\$38,800,000
The University of North Carolina at Greensboro	
Residence Hall – Acquisition	\$29,500,000
The University of North Carolina at Wilmington	
Residence Halls – Improvements	\$4,900,000
Western Carolina University	
Residence Hall – Renovation and Expansion.....	\$1,000,000
Winston-Salem State University	
Residence Hall – Renovation	\$4,500,000

SECTION 1.3. The following capital improvements projects are authorized by the Board of Governors as supplements to previously approved projects, and their respective costs are authorized by this part to be constructed and financed as provided in Section 1.1 of this part, including by revenue bonds, by special obligation bonds as authorized in Section 1.5 of this part, or by both:

North Carolina State University	
Residence Halls – Renovation – Supplement.....	\$11,500,000
Thompson Theater – Renovation and Expansion – Supplement.....	\$4,500,000
The University of North Carolina at Chapel Hill	
Residence Halls – Improvements – Supplement	\$2,500,000
Botanical Garden Visitor Education Center – Supplement.....	\$5,000,000
Educational Foundation Office Building – Supplement	\$12,000,000
Cobb Residence Hall – Renovation – Supplement.....	\$5,116,000
Residence College – Phase II – Supplement	\$8,000,000
Rizzo Center – Expansion – Supplement	\$5,300,000
The University of North Carolina at Charlotte	
Student Union – Supplement.....	\$10,000,000
The University of North Carolina at Greensboro	
Parking Deck Addition – Supplement.....	\$1,000,000
The University of North Carolina at Pembroke	
University Center Expansion – Supplement.....	\$2,000,000
The University of North Carolina at Wilmington	
University Union Building – Expansion and Renovation –	

Supplement\$12,000,000

Western Carolina University

Dodson Cafeteria Replacement – Supplement\$12,250,000

New Student Recreation Center – Supplement\$6,200,000

SECTION 1.4. At the request of the Board of Governors of The University of North Carolina and upon determining that it is in the best interest of the State to do so, the Director of the Budget may authorize an increase or decrease in the cost of, or a change in the method of, funding the projects authorized by this part. In determining whether to authorize a change in cost or funding, the Director of the Budget may consult with the Joint Legislative Commission on Governmental Operations.

SECTION 1.5. Pursuant to G.S. 116D-26, the Board of Governors may issue, subject to the approval of the Director of the Budget, at one time or from time to time, special obligation bonds of the Board of Governors for the purpose of paying all or any part of the cost of acquiring, constructing, or providing for the projects authorized by Sections 1.2 and 1.3 of this part. The maximum principal amount of bonds to be issued shall not exceed the specified project costs in Sections 1.2 and 1.3 of this part plus five percent (5%) of such amount to pay issuance expenses, fund reserve funds, pay capitalized interest, and pay other related additional costs, plus any increase in the specific project costs authorized by the Director of the Budget pursuant to Section 1.4 of this part.

SECTION 1.6. With respect to the University of North Carolina at Chapel Hill's Research Resources Facility capital project, the institution may accomplish construction and financing notwithstanding the requirement in G.S. 116D-22(5) as to location at the institution.

SECTION 1.7. With respect to the forty-seven million five hundred twenty-two thousand dollars (\$47,522,000) Major Infrastructure Improvements capital project at the University of North Carolina at Chapel Hill that was previously approved in S.L. 2005-324, the institution may accomplish a portion thereof by payment to Duke Power Company LLC to acquire distribution capacity in improvements to be constructed by Duke Power Company LLC to three electrical substations located on the institution's property and by negotiating and executing any rights-of-way, easements, leases, and any other required agreements with Duke Power Company LLC necessary for the completion of the improvements, notwithstanding any other provisions of the General Statutes governing such negotiation and execution of such rights-of-way, easements, leases, or other required agreements therefor.

SECTION 1.8. With respect to the thirty million dollars (\$30,000,000) Student Housing project at North Carolina Central University that was previously approved in S.L. 2005-324, the institution may construct one or more new or purchase one or more existing buildings to meet its need for student housing.

PART II. REVISE UNIVERSITY SPECIAL INDEBTEDNESS

SECTION 2.1. Section 1.1 of S.L. 2004-179, as amended by Section 30.3A of S.L. 2005-276, reads as rewritten:

"SECTION 1.1. In accordance with G.S. 142-83, this section authorizes the issuance or incurrence of special indebtedness in the following maximum aggregate principal amounts to finance the costs of the following projects. The table below provides the maximum principal amounts. The first column is the aggregate maximum principal amount. The second column is the maximum portion of this amount that can be issued or incurred before July 1, 2005. The State, with the prior approval of the State Treasurer and the Council of State, as provided in Article 9 of Chapter 142 of the General Statutes, is authorized to issue or incur special indebtedness in order to provide funds to the State to be used, together with other available funds, to pay the cost of these projects.

Aggregate	Maximum	Project
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Maximum	before 7/1/05	
\$180,000,000	\$110,000,000	Acquiring, constructing, and equipping a new cancer rehabilitation and treatment center, a nearby physicians' office building, and a walkway between the two, all to be located at the University of North Carolina Hospitals at Chapel Hill.
60,000,000	30,000,000	Acquiring, constructing, and equipping the North Carolina Cardiovascular Diseases Institute at East Carolina University.
35,000,000	25,000,000	Acquiring, constructing, and equipping a Bioinformatics Center at the University of North Carolina at Charlotte.
28,000,000	25,000,000	Acquiring, constructing, and equipping a stand-alone facility to house the new Pharmacy School program to be located at Elizabeth City State University, and interim temporary facilities to house the program during construction of the facility.
35,000,000	25,000,000	Acquiring, constructing, and equipping a Center for Health Promotion and Partnerships at the University of North Carolina at Asheville.
10,000,000	10,000,000	Land acquisition, site preparation, engineering, architectural, and other consulting services, and construction for the Southeastern North Carolina Nursing Education and Research Center at Fayetteville State University.
10,000,000	10,000,000	Land acquisition, site <u>Site preparation, and engineering, architectural, and other consulting services for facilities for development of the</u> services, and the construction of a research building on the joint <u>services, and the construction of a research building on the joint</u> Millennial Campus of North Carolina Agricultural and Technical State University and the University of North Carolina at Greensboro.
10,000,000	10,000,000	Land acquisition, site preparation, and engineering, architectural, and other consulting services for an Optometry School facility <u>services, and construction of a Nursing and Allied Health Building</u> at the University of North Carolina at Pembroke.
10,000,000	10,000,000	To Western Carolina University for land acquisition, site preparation, and <u>engineering, architectural, and other consulting services, and construction of a building for</u> Western Carolina University and the Mountain Area Health Education Consortium for the North Carolina Center for Health and Aging to be operated as a consortium among Western Carolina University, the University of North Carolina at Asheville, and the Mountain Area Health Education Consortium.

10,000,000 10,000,000

~~Property acquisition in Piedmont Triad Research Park for Winston Salem State University programming related to biotechnology education and research; and land acquisition, site preparation, and engineering, architectural, and other consulting services, and construction of a Center for Design Innovation in the Piedmont Triad Research Park to be operated jointly by Winston-Salem State University and the North Carolina School of the Arts.~~

TOTAL:

\$388,000,000 \$265,000,000"

PART III. REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS

SECTION 3.1. Pursuant to Section 2(b) of S.L. 2000-3, the General Assembly finds that it is in the best interest of the State to respond to current educational and research program requirements at North Carolina State University by reducing the scope of "Williams Hall Laboratory Building-Comprehensive Renovation." The unused funds from "Williams Hall Laboratory Building-Comprehensive Renovation" should be transferred to the following projects listed under the section entitled North Carolina State University: "Polk Hall Laboratory Building-Comprehensive Renovation," "1911 Classroom Building-Comprehensive Renovation," and "Park Shops-Comprehensive Renovation and Use Conversion for General Academic Use." Section 2(a) of S.L. 2000-3 is therefore amended in the portion under North Carolina State University by:

- (1) Reducing the portion to "Williams Hall Laboratory Building-Comprehensive Renovation" by six million four hundred forty-five thousand dollars (\$6,445,000) so that it reads six million four hundred twenty thousand five hundred dollars (\$6,420,500),
- (2) Increasing the portion to "Polk Hall Laboratory Building -Comprehensive Renovation" by one hundred one thousand three hundred sixty-two dollars (\$101,362) so that it reads fifteen million one hundred fifty-four thousand three hundred sixty-two dollars (\$15,154,362),
- (3) Increasing the portion to "1911 Classroom Building Comprehensive Renovation" by two million six hundred sixty-three thousand seven hundred fifty-seven dollars (\$2,663,757) so that it reads nine million six hundred thirty-five thousand seven hundred fifty-seven dollars (\$9,635,757),
- (4) Increasing the portion to "Park Shops – Comprehensive Renovation and Use Conversion for General Academic Use" by three million six hundred seventy-nine thousand eight hundred eighty-one dollars (\$3,679,881) so that it reads nine million nine hundred ninety thousand five hundred eighty-one dollars (\$9,990,581).

SECTION 3.2. Pursuant to Section 2(b) of S.L. 2000-3, the General Assembly finds that it is in the best interest of the State to respond to current educational and research program requirements at the University of North Carolina at Chapel Hill by reducing the scope of "Caldwell and Howell Halls-Comprehensive Renovation of Classrooms and Lecture Halls" and by reducing the scope of "Hill and Davie Halls-Comprehensive Renovation of Classrooms and Lecture Halls." The unused monies from "Caldwell and Howell Halls-Comprehensive Renovation of Classrooms and Lecture Halls" should be transferred to "Hamilton Hall-Comprehensive Renovation of Classrooms and Lecture Halls." The unused monies from "Hill and Davie

Halls-Comprehensive Renovation of Classrooms and Lecture Halls" should be transferred to "Greenlaw Hall-Comprehensive Renovation of Classrooms and Lecture Halls." Section 2(a) of S.L. 2000-3 is therefore amended in the portion under the University of North Carolina at Chapel Hill by:

- (1) Reducing the portion to "Caldwell and Howell Halls-Comprehensive Renovation of Classrooms and Lecture Halls" by eight hundred forty-five thousand two hundred forty-six dollars (\$845,246) so that it reads eight hundred eighty-six thousand seven hundred fifty-four dollars (\$886,754),
- (2) Reducing the portion to "Hill and Davie Hall-Comprehensive Renovation of Classrooms and Lecture Halls" by one million three hundred twenty-four thousand seven hundred twenty-nine dollars (\$1,324,729) so that it reads six hundred twenty-four thousand two hundred seventy-one dollars (\$624,271),
- (3) Increasing the portion to "Hamilton Hall-Comprehensive Renovation of Classrooms and Lecture Halls" by eight hundred forty-five thousand two hundred forty-six dollars (\$845,246) so that it reads two million three hundred eighty-four thousand two hundred forty-six dollars (\$2,384,246),
- (4) Increasing the portion to "Greenlaw Hall-Comprehensive Renovation of Classrooms and Lecture Halls" by one million three hundred twenty-four thousand seven hundred twenty-nine dollars (\$1,324,729) so that it reads three million one hundred forty-nine thousand seven hundred twenty-nine dollars (\$3,149,729).

SECTION 3.3. Pursuant to Section 2(b) of S.L. 2000-3, the General Assembly finds that it is in the best interest of the State to respond to current educational and research program requirements at Western Carolina University by reducing the scope of "Forsyth Classroom and Computer Labs Renovation," and by transferring the unused funds to "Stillwell Lab Building-Comprehensive Renovation." Section 2(a) of S.L. 2000-3 is therefore amended in the portion under Western Carolina University by:

- (1) Reducing the portion to "Forsyth Classroom and Computer Labs Renovation" by three million two hundred thousand dollars (\$3,200,000) so that it reads three million eight hundred sixty-four thousand dollars (\$3,864,000),
- (2) Increasing the portion to "Stillwell Lab Building-Comprehensive Renovation" by three million two hundred thousand dollars (\$3,200,000) so that it reads eighteen million two hundred fifty-seven thousand five hundred dollars (\$18,257,500).

SECTION 3.4. Nothing in this part is intended to supersede any other requirement of law or policy for approval of the substituted capital improvement projects.

PART IV. EFFECTIVE DATE

SECTION 4.1. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 11th day of
July, 2006.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 7:42 p.m. this 19th day of July, 2006