

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 803
HOUSE BILL 1050

AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF
CERTAIN CAPITAL IMPROVEMENTS PROJECTS BY THE UNIVERSITY OF
NORTH CAROLINA AT CHAPEL HILL AND EAST CAROLINA
UNIVERSITY.

The General Assembly of North Carolina enacts:

Section 1. The purpose of this act is to authorize construction, by The University of North Carolina at Chapel Hill and East Carolina University, of capital improvements projects described herein, and to authorize the financing of these capital improvements projects through the issuance of bonds to be repaid from income from receipts, gifts, grants, or other funds, or any combination of such funds. Prior to the execution of contracts for the projects authorized herein, the Director of the Budget, provided the Director of the Budget may consult with the Advisory Budget Commission, shall approve the method of funding the project.

Sec. 2. The projects authorized to be constructed and financed as provided in Section 1 of this act are: (a) the construction of an ambulatory care building to provide medical clinical facilities for The University of North Carolina at Chapel Hill for the purpose of providing medical care to the general public; (b) the construction of an addition to the School of Dentistry to provide dental clinical facilities for The University of North Carolina at Chapel Hill for the purpose of providing dental care to the general public and; (c) the construction of an ambulatory care building to provide medical clinical facilities for East Carolina University for the purpose of providing medical care to the general public.

Sec. 3. For the purposes of contracting for the design, construction, and financing of the ambulatory care building projects authorized in Section 1 of this act, The University of North Carolina at Chapel Hill and East Carolina University shall be exempt from the requirements of Chapter 143, Article 8, of the General Statutes and may enter into combined contracts for the design of the projects, combined contracts for the construction of the projects, or combined contracts for the design, construction, and construction management of the projects.

Sec. 4. For the purpose of financing the construction of the projects authorized in Section 1 of this act, the Board of Governors of The University of North Carolina ("the Board") is authorized to issue, subject to the approval of the Director of the Budget, provided the Director of the Budget may consult with the Advisory Budget Commission, revenue bonds of The University of North Carolina according to the

procedures and under the terms mandated by G.S. 116-187 through G.S. 116-198, except as those terms are modified by this act.

The Board in the resolution authorizing the issuance of bonds under this act may provide for a pledge to the payment of such revenue bonds and the interest thereon of the revenue derived from the projects authorized in Section 1 of this act and also for a pledge of the revenues derived from any future improvements, betterments, or extensions of the projects, or the revenues from the projects and any or all of the revenues mentioned in this sentence, without regard to whether the operations involved are deemed governmental or proprietary, it being the purpose hereof to vest in the Board broad powers which shall be liberally construed. So long as any revenues of The University mentioned in this paragraph are pledged for the payment of the principal of or interest on any bonds issued hereunder, such revenues shall be deposited in a special fund and shall be applied and used only as provided in the resolution authorizing such bonds, subject, however, to any prior pledge or encumbrance thereof.

Sec. 5. The Director of the Budget, provided the Director of the Budget may consult with the Advisory Budget Commission, may, when in his opinion it is in the best interest of the State to do so, and upon the request of The University of North Carolina Board of Governors, authorize a decrease in the scope or a change in the method of funding of any project authorized by this act.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of August, 1987.