

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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1

SENATE BILL 928

Short Title: General Purposes Bond Act.

(Public)

Sponsors: Senators Royall; Ballance, Basnight, Block, Conder, Cooper, Daniel, Hunt, Johnson, Lee, Martin of Pitt, Martin of Guilford, Marvin, Murphy, Parnell, Perdue, Plexico, Raynor, Richardson, Sands, Seymour, Sherron, Soles, Speed, Staton, Tally, Walker, Ward, and Warren.

Referred to: Finance.

May 13, 1991

A BILL TO BE ENTITLED

1
2 AN ACT TO AUTHORIZE THE ISSUANCE OF SIX HUNDRED MILLION
3 DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A
4 VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS,
5 WITH ANY OTHER AVAILABLE FUNDS, FOR GENERAL STATE
6 PURPOSES.

7 The General Assembly of North Carolina enacts:

8 Section 1. Short Title. This act shall be known and may be cited as the
9 "State General Purposes Bond Act."

10 Sec. 2. Definitions. As used in this act, unless the context otherwise
11 requires:

- 12 (1) " Bonds" means bonds issued under this act.
13 (2) " Cost" means, without intending thereby to limit or restrict any proper
14 definition of such word in financing the cost of facilities or purposes
15 authorized by this act:
16 a. The cost of constructing, reconstructing, enlarging, acquiring
17 and improving facilities, and acquiring equipment and land
18 therefor,
19 b. The cost of engineering, architectural and other consulting
20 services as may be required,
21 c. Administrative expenses and charges,

- 1 d. The cost of bond insurance, investment contracts, credit
2 enhancement and liquidity facilities, interest-rate swap
3 agreements, financial and legal consultants and related costs of
4 bond and note issuance, to the extent and as determined by the
5 State Treasurer, and
6 e. Any other costs and expenses necessary or incidental to the
7 purposes of this act.

8 Allocations in this act of proceeds of bonds to the costs of a project or undertaking in
9 each case may include allocations to pay the costs set forth in items c., d., and e. in
10 connection with the issuance of bonds for such project or undertaking.

11 (3) " Credit facility" means an agreement entered into by the State
12 Treasurer on behalf of the State with a bank, savings and loan
13 association or other banking institution, an insurance company,
14 reinsurance company, surety company or other insurance institution, a
15 corporation, investment banking firm or other investment institution,
16 or any financial institution or other similar provider of a credit facility,
17 which provider may be located within or without the United States of
18 America, such agreement providing for prompt payment of all or any
19 part of the principal or purchase price (whether at maturity,
20 presentment or tender for purchase, redemption or acceleration),
21 redemption premium, if any, and interest on any bonds or notes
22 payable on demand or tender by the owner, in consideration of the
23 State agreeing to repay the provider of the credit facility in accordance
24 with the terms and provisions of such agreement.

25 (4) " Notes" means notes issued under this act.

26 (5) " Par formula" means any provision or formula adopted by the State to
27 provide for the adjustment, from time to time, of the interest rate or
28 rates borne by any bonds or notes, including:

- 29 a. A provision providing for such adjustment so that the purchase
30 price of such bonds or notes in the open market would be as
31 close to par as possible,
32 b. A provision providing for such adjustment based upon a
33 percentage or percentages of a prime rate or base rate, which
34 percentage or percentages may vary or be applied for different
35 periods of time, or
36 c. Such other provision as the State Treasurer may determine to be
37 consistent with this act and will not materially and adversely
38 affect the financial position of the State and the marketing of
39 bonds or notes at a reasonable interest cost to the State.

40 Sec. 3. Head Start Program Assistance Bonds.

41 (a) Findings and determinations. It is the intent and purpose of the General
42 Assembly by this act to provide for the issuance of general obligation bonds of the State
43 in order to provide support, together with support to be provided by the federal
44 government as herein mentioned, in order to facilitate the payment of certain capital

1 costs required in providing new and improving existing facilities to be used by entities
2 providing services under the "head start" program, a program delivering comprehensive
3 health, educational, nutritional, social and other services to economically disadvantaged
4 children, primarily children who have not reached the age of compulsory school
5 attendance.

6 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
7 of the qualified voters of the State who vote on the question of issuing head start
8 program assistance bonds in the election called and held as hereinafter provided, the
9 State Treasurer is hereby authorized, by and with the consent of the Council of State, to
10 issue and sell, at one time or from time to time, general obligation bonds of the State to
11 be designated "State of North Carolina Head Start Program Assistance Bonds," with
12 such additional designations as may be determined to indicate the issuance of bonds
13 from time to time, or notes of the State as herein provided, in an aggregate principal
14 amount not exceeding five million six hundred fifty thousand dollars (\$5,650,000) for
15 the purposes authorized in this act.

16 (c) Uses of bond and note proceeds. The proceeds of head start program
17 assistance bonds and notes shall be used for the purposes of providing a contribution by
18 the State, together with other available funds, to local private nonprofit corporations and
19 public agencies administering head start programs for the payment of the cost of
20 acquiring, constructing, reconstructing, renovating, equipping and improving classroom
21 facilities for head start programs, including, without limitation, the acquisition of land
22 and computer hardware and software. The contribution to be made by the State shall be
23 made only to nonprofit corporations and public agencies receiving monies from the
24 federal government under the federal head start program. The contribution by the State
25 shall be made pursuant to agreements between the State by the Department of Human
26 Resources and the nonprofit corporations or pursuant to rules and regulations of the
27 Department of Human Resources having application to public agencies. The
28 agreements and the rules and regulations shall contain provisions necessary to assure
29 that the proceeds of the head start program assistance bonds and notes are applied for
30 the accomplishment of public purposes only, within the meaning of Article V, Section
31 2(7) of the North Carolina Constitution, including, without limitation, provisions to
32 assure that facilities provided or improved shall be used in connection with the head
33 start program.

34 In entering into agreements with nonprofit corporations or promulgating rules
35 and regulations having application to public agencies, the Department of Human
36 Resources may, but is not obligated to, incorporate the following requirements:

- 37 (1) Title to real property shall vest in the nonprofit corporation, the public
38 agency, the county wherein the facilities are located, or in another
39 public agency.
- 40 (2) If State funds are to be used in connection with the construction of
41 facilities to be owned by a nonprofit corporation, the nonprofit
42 corporation must comply with the applicable provision of Article 8 of
43 Chapter 143 of the General Statutes of North Carolina concerning
44 public bidding for construction and acquisition of equipment.

1 (3) State funds shall be provided at the sole discretion of the Secretary of
2 the Department of Human Resources following a review of competing
3 applications. The applications are to document the need for additional
4 classroom space or equipment to meet head start needs. The
5 documentation shall state why funds are needed; shall identify
6 companion sources of funding; contain the endorsement of the county
7 in which the proposed project is or will be located; identify the specific
8 activities to be achieved including a schedule of events; and contain a
9 description of the anticipated impact in the community.

10 (4) The Secretary shall give priority to head start programs which must
11 complete renovations or add new facilities in order to meet State and
12 local safety, health and other licensing requirements.

13 The General Assembly may change from time to time any of the foregoing
14 requirements.

15 (d) Allocation of proceeds. The proceeds of head start program assistance bonds
16 and notes, including premium thereon, if any, except the proceeds of bonds the issuance
17 of which has been anticipated by bond anticipation notes or the proceeds of refunding
18 bonds or notes, shall be placed by the State Treasurer in a special account to be
19 designated "Head Start Program Assistance Bonds Account" to be established in the
20 "State General Purpose Bond Fund" hereinafter mentioned. Moneys in the Head Start
21 Program Assistance Bonds Account shall be used for the purposes set forth in this
22 section.

23 Any additional moneys which may be received by means of a grant or grants
24 from the United States of America or any agency or department thereof or from any
25 other source to aid in financing the cost of the facilities authorized by this act may be
26 placed by the State Treasurer in the Head Start Program Assistance Bonds Account or in
27 a separate account or fund and shall be disbursed, to the extent permitted by the terms of
28 such grant or grants, without regard to any limitations imposed by this act.

29 The proceeds of head start program assistance bonds and notes may be used
30 with any other moneys made available by the General Assembly for State contributions
31 to the head start program, including the proceeds of any other State bond issues,
32 whether heretofore made available or which may be made available at the session of the
33 General Assembly at which this act is ratified or any subsequent sessions. The proceeds
34 of head start program assistance bonds and notes shall be expended and disbursed under
35 the direction and supervision of the Director of the Budget. The funds provided by this
36 act for the head start program shall be disbursed for the purposes provided in this act
37 upon warrants drawn on the State Treasurer by the State Comptroller, which warrants
38 shall not be drawn until requisition has been approved by the Director of the Budget and
39 which requisition shall be approved only after full compliance with the Executive
40 Budget Act, Article 1 of Chapter 143 of the General Statutes.

41 Sec. 4. Public School Building Bonds.

42 (a) Findings and determinations. It is the intent and purpose of the General
43 Assembly by this act to provide for the issuance of general obligation bonds of the State
44 to facilitate the providing of public school buildings by providing funds for counties that

1 have the greatest critical school building needs in relation to resources available to pay
2 for school building needs.

3 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
4 of the qualified voters of the State who vote on the question of issuing school building
5 bonds in the election called and held as hereinafter provided, the State Treasurer is
6 hereby authorized, by and with the consent of the Council of State, to issue and sell, at
7 one time or from time to time, general obligation bonds of the State to be designated
8 "State of North Carolina Public School Building Bonds," with such additional
9 designations as may be determined to indicate the issuance of bonds from time to time,
10 or notes of the State as herein provided, in an aggregate principal amount not exceeding
11 forty million dollars (\$40,000,000) for the purposes authorized in this act.

12 (c) Uses of bond and note proceeds. The proceeds of school building bonds and
13 notes shall be used for paying the cost of providing public school buildings including
14 the planning, construction, reconstruction, enlargement, improvement, repair, or
15 renovation of public school buildings, the purchase of land necessary for immediate
16 construction of school buildings and other related capital outlay projects constituting
17 facilities for individual schools that are used for instructional and related purposes, but
18 not including centralized administration, maintenance, or other facilities. The particular
19 critical need and the particular local school administrative unit to which bond or note
20 proceeds shall be allocated shall be determined by the Commission on School Facility
21 Needs in the manner provided for the application of moneys in the Critical School
22 Facility Needs Fund created by G.S. 115C-489.1; provided, however, that the General
23 Assembly may change from time to time the agency making such determinations or the
24 manner of making such determinations.

25 (d) Allocation of proceeds. The proceeds of public school building bonds and
26 notes, including premiums thereon, if any, except the proceeds of bonds the issuance of
27 which has been anticipated by bond anticipation notes or the proceeds of refunding
28 bonds or notes, shall be placed by the State Treasurer in a special account to be
29 designated "School Buildings Bonds Account" to be established in the "State General
30 Purpose Bond Fund" hereinafter mentioned. Moneys in the School Buildings Bonds
31 Account shall be used for the purposes set forth in this section.

32 Any additional moneys which may be received by means of a grant or grants
33 from the United States of America or any agency or department thereof or from any
34 other source to aid in financing the cost of public school buildings may be placed by the
35 State Treasurer in the School Buildings Bonds Account or in a separate account or fund
36 and shall be disbursed, to the extent permitted by the terms of such grant or grants,
37 without regard to any limitations imposed by this act.

38 The proceeds of public school buildings bonds and notes may be used with
39 any other moneys made available by the General Assembly to aid in financing the cost
40 of public school buildings, including the proceeds of any other State bond issues,
41 whether heretofore made available or which may be made available at the session of the
42 General Assembly at which this act is ratified or any subsequent sessions. The proceeds
43 of public school buildings bonds and notes shall be expended and disbursed under the
44 direction and supervision of the Director of the Budget. The funds provided by this act

1 to aid in financing the cost of public school buildings shall be disbursed for the purposes
2 provided in this act upon warrants drawn on the State Treasurer by the State
3 Comptroller, which warrants shall not be drawn until requisition has been approved by
4 the Director of the Budget and which requisition shall be approved only after full
5 compliance with the Executive Budget Act, Article 1 of Chapter 143 of the General
6 Statutes.

7 Sec. 5. Community College Bonds.

8 (a) Findings and determinations. It is the intent and purpose of the General
9 Assembly by this act to provide for the issuance of general obligation bonds of the State
10 in order (i) to facilitate the acquisition of instructional equipment by community
11 colleges by creating and providing for the funding of a Community College Equipment
12 Revolving Loan Fund, (ii) to provide grants in equal amounts to each community
13 college for capital outlay purposes as herein provided, and (iii) to make grants to
14 particular community colleges for specified capital outlay purposes as herein provided.

15 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
16 of the qualified voters of the State who vote on the question of issuing community
17 college bonds in the election called and held as hereinafter provided, the State Treasurer
18 is hereby authorized, by and with the consent of the Council of State, to issue and sell,
19 at one time or from time to time, general obligation bonds of the State to be designated
20 "State of North Carolina Community College Bonds," with such additional designations
21 as may be determined to indicate the issuance of bonds from time to time, or notes of
22 the State as herein provided, in an aggregate principal amount not exceeding fifty-one
23 million two hundred thousand dollars (\$51,200,000) for the purposes authorized in this
24 act.

25 (c) Uses of bond and note proceeds. The proceeds of community college bonds
26 and notes shall be used for the purpose of making loans and grants to community or
27 technical colleges, as defined in Chapter 115D of the General Statutes, the proceeds of
28 loans to be used by community colleges for the purpose of paying the cost of the
29 acquisition of instructional equipment including, without limitation, computer systems
30 and supporting software programs, learning laboratories, audiovisual equipment,
31 minicomputers and microcomputers, computer controlled machine tools and computer
32 assisted drafting machines and the proceeds of grants shall be used as hereinafter in this
33 section provided.

34 (I) The proceeds of forty million four hundred sixty-three thousand five
35 hundred thirty-nine dollars (\$40,463,539) of community college equipment bonds and
36 notes shall be used by the State Board of Community Colleges to make loans to
37 individual community colleges. Loans shall be repayable by individual community
38 colleges from the proceeds of appropriations made by the General Assembly and
39 available for such purpose and any other available moneys of the community colleges.
40 The funds transferred by the State Treasurer from the Community College Bonds
41 Account hereinafter mentioned for the making of loans to community colleges, when
42 received from the State Treasurer as herein provided, shall be deposited by the State
43 Board of Community Colleges in a special fund established with the State Board of
44 Community Colleges and to be designated "Community College Equipment Revolving

1 Loan Fund.” Payments of principal and interest by individual community colleges on
2 loans shall also be deposited to the Community College Equipment Revolving Loan
3 Fund. Moneys in the Community College Equipment Revolving Loan Fund, whether
4 the proceeds of bonds and notes or the proceeds of payments of principal and interest on
5 loans, shall be used by the State Board of Community Colleges to make loans to
6 community colleges as herein provided.

7 In the making of loans, the State Board of Community Colleges shall
8 consider:

- 9 (1) The need for the equipment proposed to be acquired;
- 10 (2) The amount of the loan requested;
- 11 (3) The availability of local funds;
- 12 (4) The estimated needs of the various community colleges throughout the
13 State; and
- 14 (5) Whether or not the applicant has previously received a loan.

15 The State Board of Community Colleges may approve the making of a loan if
16 it finds and determines, which finding and determination shall be binding and
17 conclusive, that

- 18 (1) The community college has demonstrated to the State Board of
19 Community Colleges by appropriate documentation the need for the
20 instructional equipment; and
- 21 (2) The community college has demonstrated to the State Board of
22 Community Colleges by appropriate documentation that the
23 instructional equipment to be provided by the loan funds is needed to
24 offer a curriculum program approved by the State Board of
25 Community Colleges and that a quality program would not be offered
26 if equipment loan funds were not made available.

27 In approving the making of loans, the State Board of Community Colleges
28 shall give priority to loans to community colleges that do not have additional local funds
29 for such purpose.

30 The form of the loans and the details thereof including, without limitation, the
31 maturity, interest rate and amortization schedule, shall be determined, from time to time,
32 by the State Board of Community Colleges.

33 (II) The proceeds of two million nine hundred thousand dollars (\$2,900,000)
34 of community college bonds and notes shall be used to make a grant of fifty thousand
35 dollars (\$50,000) to each community college. The proceeds shall be used to pay the
36 cost of renovating, reconstructing, repairing, and equipping existing community college
37 facilities. The particular projects within such purposes to be financed in whole or in
38 part from the proceeds of said bonds at each community college shall be determined
39 from time to time by the Board of Trustees of the particular community college.

40 (III) The proceeds of seven million eight hundred thirty-six thousand four
41 hundred sixty-one dollars (\$7,836,461) of community college bonds and notes shall be
42 allocated and expended for paying the cost of community college capital improvements,
43 to the extent and as provided in this act and subject to change as herein provided, as
44 follows:

	<u>Community College</u>	<u>Capital Improvement</u>	<u>Projected Allocation</u>
1			
2			
3			
4	Anson/Stansly Community	Union County	\$ 930,000
5	College	Satellite campus	
6		Classroom building	
7			
8	Caldwell Community College	Watauga County	12,512
9	and Technical Institute	Satellite campus	
10		Classroom building	
11			
12			
13	Cape Fear Community College	Health Science Building	600,000
14			
15	Carteret Community College	Student Union Building	17,904
16			
17	Catawba Valley Community	Classroom/Laboratory	365,000
18	College	Building	
19			
20	Craven Community College	Student Athletic Center	1,210,834
21			
22	Davidson County Community	Driveway extension	33,000
23	College		
24		Classroom Office Building	32,296
25			
26	Fayetteville Technical	High Technology	1,000,000
27	Community College	Center Equipment	
28			
29	Isothermal Community College	Fine Arts Center	320,000
30			
31	Johnston Community College	Library renovation	90,000
32			
33	Nash Community College	Learning resource center/ student center	389,775
34			
35			
36	Piedmont Community College	Learning resource center at Caswell County Satellite	35,497
37			
38			
39	Pitt Community College	Site development	28,577
40		for new building	
41			
42	Roanoke-Chowan Community	Energy Retrofit Project	100,000
43	College		
44		Learning Resource Center/	367,645

1		Student Development Center	
2			
3	Rockingham Community College	Fire Service Training	120,250
4		Facility	
5		Addition to Shop II	299,345
6		Classroom/Laboratory	773,826
7			
8	Wake Technical Community	Student Education	1,110,000
9	College	Center	

11 The particular capital improvements and the amount of the allocation therefor
12 set forth above may be changed from time to time as the General Assembly may decide.

13 The State Board of Community Colleges is empowered, when the State Board
14 of Community Colleges determines it is in the best interest of the State and the
15 community college system to do so, and if the cost of a particular project is less than the
16 projected allocation, to use the excess funds to increase the size of that project or
17 increase the size of any other project described in this section, or to increase the amount
18 allocated to a particular institution within the aggregate amount of funds available under
19 this section. To the extent that funds are not required to be expended for the specific
20 projects described in this section, allocations authorized herein may be used for capital
21 outlay projects at any community college or colleges, including community colleges not
22 described above, as replacement projects, but no such funds may be used for operating
23 expenditures.

24 (d) Allocation of proceeds. The proceeds of community college bonds and notes,
25 including premium thereon, if any, except the proceeds of bonds the issuance of which
26 has been anticipated by bond anticipation notes or the proceeds of refunding bonds or
27 notes, shall be placed by the State Treasurer in a special account to be designated
28 "Community College Bonds Account" to be established in the "State General Purpose
29 Bond Fund" hereinafter mentioned. Moneys in the Community College Bonds Account
30 shall be used for the purposes set forth in this section, and the particular disbursements
31 within such purposes to be made in whole or in part from the proceeds shall be
32 determined from time to time by the State Board of Community Colleges.

33 Any additional moneys which may be received by means of a grant or grants
34 from the United States of America or any agency or department thereof or from any
35 other source to aid in financing the cost of any community college loans or grants
36 authorized by this act may be placed by the State Treasurer in the Community College
37 Bonds Account or in a separate account or fund and shall be disbursed, to the extent
38 permitted by the terms of such grant or grants, without regard to any limitations
39 imposed by this act.

40 The proceeds of community college bonds and notes may be used with any
41 other moneys made available by the General Assembly for the making of community
42 college loans and grants, including the proceeds of any other State bond issues, whether
43 heretofore made available or which may be made available at the session of the General
44 Assembly at which this act is ratified or any subsequent sessions. The proceeds of

1 community college bonds and notes shall be expended and disbursed under the direction
2 and supervision of the Director of the Budget. The funds provided by this act for
3 community college loans shall be disbursed for the purposes provided in this act upon
4 warrants drawn on the State Treasurer by the State Comptroller, which warrants shall
5 not be drawn until requisition shall be approved only after full compliance with the
6 Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.

7 Sec. 6. University Improvement Bonds.

8 (a) Findings and determinations. It is the intent and purpose of the General
9 Assembly by this act to provide for the issuance of general obligation bonds of the State
10 in order to facilitate the providing of capital improvements for certain of the constituent
11 institutions of The University of North Carolina.

12 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
13 of the qualified voters of the State who vote on the question of issuing university
14 improvement bonds in the election called and held as hereinafter provided, the State
15 Treasurer is hereby authorized, by and with the consent of the Council of State, to issue
16 and sell, at one time or from time to time, general obligation bonds of the State to be
17 designated "State of North Carolina University Improvement Bonds,"with such
18 additional designations as may be determined to indicate the issuance of bonds from
19 time to time, or notes of the State as herein provided, in an aggregate principal amount
20 not exceeding two hundred eighty-three million eight hundred fifty-five thousand
21 dollars (\$283,855,000) for the purposes authorized in this act.

22 (c) Uses of bond and note proceeds. The proceeds of university improvement
23 bonds and notes shall be used for the purpose of paying the cost of improvements to the
24 facilities of the constituent institutions of The University of North Carolina, under the
25 supervision of the Board of Governors of The University of North Carolina, including,
26 without limitation, construction and renovation of classroom buildings, laboratory
27 buildings, research facilities, libraries, physical education facilities, continuing
28 education centers, student cafeteria and activity facilities including multipurpose
29 facilities, administrative office buildings, and land acquisition and the cost of
30 improvements to the North Carolina Center for Public Television under the Board of
31 Governors of The University of North Carolina.

32 (d) Allocation of proceeds. The proceeds of university improvement bonds and
33 notes, including premium thereon, if any, except the proceeds of bonds the issuance of
34 which has been anticipated by bond anticipation notes or the proceeds of refunding
35 bonds or notes, shall be placed by the State Treasurer in a special account to be
36 designated "University Improvement Bonds Account"to be established in the "State
37 General Purpose Bond Fund"hereinafter mentioned. Moneys in the University
38 Improvement Bonds Account shall be used for the purposes set forth in this section.
39 The proceeds of university improvement bonds and notes shall be allocated and
40 expended for paying the cost of university capital improvements, to the extent and as
41 provided in this act and subject to change as herein provided, as follows:

42	Constituent		
43	Institution or Board		Projected
44	<u>of Governors</u>	<u>Capital Improvement</u>	<u>Allocation</u>

1			
2	Appalachian State	Academic Support Services	\$ 8,500,000
3	University	Building	
4		Student Activities and	9,500,000
5		Multipurpose Center	
6			
7	East Carolina University	Joyner Library Addition	25,800,000
8			
9		Vivarium Addition	7,000,000
10			
11		Center for Regional	7,054,000
12		Advancement (phase does	
13		not include Arena portion	
14		to be funded by contributions)	
15			
16	Elizabeth City State	Dormitory	1,500,000
17	University		
18			
19	Fayetteville State	Indoor Health, Physical	8,700,000
20	University	Education and Intramural	
21		Facility	
22			
23	North Carolina	School of Technology	7,700,000
24	Agricultural and	Building	
25	Technical State University		
26			
27	North Carolina	Conversion of Women's	1,800,000
28	Central University	Gymnasium	
29			
30	North Carolina	Student Activities	3,400,000
31	School of the Arts	Building	
32			
33	North Carolina State	Engineering Graduate	32,500,000
34	University at Raleigh	Research Center	
35			
36		Student Activities and	19,000,000
37		Centennial Center	
38			
39		Agricultural Program	3,500,000
40		Animal Laboratory	
41		Facilities	
42			
43	Pembroke State	Administrative Office	5,800,000
44	University	Building	

1			
2	University of North	Physical Education	5,200,000
3	Carolina at Asheville	Building	
4			
5		Conference Center	16,106,300
6			
7		North Carolina Arboretum	6,000,000
8			
9	University of North	School of Social Work	9,800,000
10	Carolina at Chapel Hill	Building	
11			
12		School of Business	14,900,000
13		Administration Building	
14			
15		Addition to School of	8,700,000
16		Dentistry	
17			
18		Addition to Lineberger	3,774,000
19		Cancer Research Center	
20			
21		Carolina Living &	1,120,700
22		Learning Center	
23			
24	University of North	Classroom and Academic	22,100,000
25	Carolina at Charlotte	Support Facility	
26			
27	University of North	New Music Building	21,900,000
28	Carolina at Greensboro		
29			
30	University of North	Physical Sciences	16,900,000
31	Carolina at	Building and Renovation	
32	Wilmington	of DeLoach Hall	
33			
34	Western Carolina	Completion of Belk	3,200,000
35	University	Building and asbestos	
36		removal	
37			
38		Renovate Moore Hall,	1,400,000
39		Phase II	
40			
41	Winston-Salem State	Student Services/	6,000,000
42	University	Cafeteria/Student Union	
43		Complex	
44			

1	Board of Governors	Improvements to the	5,000,000
2	of The University of	Facilities for the North	
3	North Carolina	Carolina Center for	
4		Public Television	

5
6 Projected allocations set forth above may be adjusted to reflect the
7 availability of other funds.

8 The Director of the Budget is empowered, when the Director of the Budget
9 determines it is in the best interest of the State and The University of North Carolina to
10 do so, and if the cost of a particular project is less than the projected allocation, to use
11 the excess funds to increase the size of that project or increase the size of any other
12 project itemized in this section, or to increase the amount allocated to a particular
13 institution or the Board of Governors within the aggregate amount of funds available
14 under this section; provided that the Director of the Budget may consult with the
15 Advisory Budget Commission and the Joint Legislative Commission on Governmental
16 Operations. In addition, the particular capital improvements and the amount of the
17 projected allocation therefor set forth above may be changed from time to time as the
18 General Assembly may decide. The provisions of G.S. 116-9 with respect to
19 appropriations to the Board of Governors of The University of North Carolina shall not
20 apply to proceeds of university improvements bonds and notes issued pursuant to the
21 provisions of this act.

22 Any additional moneys which may be received by means of a grant or grants
23 from the United States of America or any agency or department thereof or from any
24 other source to aid in financing the cost of any university improvements authorized by
25 this act may be placed by the State Treasurer in the University Improvement Bonds
26 Account or in a separate account or fund and shall be disbursed, to the extent permitted
27 by the terms of such grant or grants, without regard to any limitations imposed by this
28 act.

29 The proceeds of university improvement bonds and notes may be used with
30 any other moneys made available by the General Assembly for the making of university
31 improvements, including the proceeds of any other State bond issues, whether
32 heretofore made available or which may be made available at the session of the General
33 Assembly at which this act is ratified or any subsequent sessions. The proceeds of
34 university improvement bonds and notes shall be expended and disbursed under the
35 direction and supervision of the Director of the Budget. The funds provided by this act
36 for university improvements shall be disbursed for the purposes provided in this act
37 upon warrants drawn on the State Treasurer by the State Comptroller, which warrants
38 shall not be drawn until requisition has been approved by the Director of the Budget and
39 which requisition shall be approved only after full compliance with the Executive
40 Budget Act, Article 1 of Chapter 143 of the General Statutes.

41 Sec. 7. State Parks and Zoo Bonds.

42 (a) Findings and determination. It is the intent and purpose of the General
43 Assembly by this act to provide for the issuance of general obligation bonds of the State
44 in order to facilitate the payment of the capital costs required in providing and

1 improving existing State parks and recreation areas and providing additional State zoo
 2 facilities.

3 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
 4 of the qualified voters of the State who vote on the question of issuing State parks and
 5 zoo bonds in the election called and held as hereinafter provided, the State Treasurer is
 6 hereby authorized, by and with the consent of the Council of State, to issue and sell, at
 7 one time or from time to time, general obligation bonds of the State to be designated
 8 "State of North Carolina State Parks and zoo Bonds," with such additional designations
 9 as may be determined to indicate the issuance of bonds from time to time, or notes of
 10 the State as herein provided, in an aggregate principal amount not exceeding fifty-five
 11 million dollars (\$55,000,000) for the purpose of providing funds, with any other
 12 available funds, for the purposes authorized in this act.

13 (c) Uses of bond and note proceeds. The proceeds of State parks and zoo bonds
 14 and notes shall be used for the purposes of paying the cost of capital facilities in State
 15 parks and recreation areas including, without limitation, visitors' centers, parking lots
 16 and access roads, dams, picnic areas, ranger residences, tent and trailer campsites, boat
 17 and canoe launching areas, rental cabins, boathouses, swimming facilities, trails,
 18 exhibits, storage buildings, water and wastewater systems, electrical systems, and
 19 underground fuel tanks and for the purposes of paying the cost of capital facilities for
 20 the North American Phase exhibits at the State zoo.

21 (d) Allocation of proceeds. The proceeds of State parks and zoo bonds and
 22 notes, including premium thereon, if any, except the proceeds of bonds the issuance of
 23 which has been anticipated by bond anticipation notes or the proceeds of refunding
 24 bonds or notes, shall be placed by the State Treasurer in a special account to be
 25 designated "State Parks and Zoo Bonds Account" to be established in the "State General
 26 Purpose Bond Fund" hereinafter mentioned. Moneys in the State Parks and Zoo Bonds
 27 Account shall be used for the purposes set forth in this section, and the particular
 28 projects within such purposes to be financed in whole or in part from the proceeds shall
 29 be determined as hereinafter provided.

30 \$5,000,000 of the proceeds of State parks and zoo bonds shall be allocated
 31 and expended to pay the capital cost of the North American Phase exhibits at the State
 32 zoo. \$3,046,900 of the proceeds of State parks and zoo bonds and notes shall be
 33 allocated and expended for paying the cost of State parks capital facilities, subject to
 34 change as herein provided, as follows:

35	<u>State Capital</u>	<u>Allocation</u>	
36	<u>Park Improvement</u>		
37			
38	Hanging Rock	Land Purchase	\$ 4,100
39	Jockeys Ridge	Land Purchase	294,900
40	Lake James	Land Purchase	57,200
41	Lake Waccamaw	Land Purchase	88,200
42	Merchants Millpond	Land Purchase	199,200
43	Eno State Park	Land Purchase	500,000
44	Mitchells Mill	Land Purchase	700

1	New River	Land Purchase	449,700
2	Raven Rock	Land Purchase	189,600
3	South Mountain	Land Purchase	234,700
4	Stone Mountain	Land Purchase	5,500
5	Hanging Rock	Various repairs	600,000
6		to facilities	
7	Lake Waccamaw State		
8	Park	Road pavement	97,000
9	Kerr Lake	Rest room facility	26,000
10	Life Safety Code		
11	Critical Needs		
12	Improvements	Various parks	300,000

13 The particular capital improvements and the amount of the allocation therefor set forth
 14 above may be changed from time to time as the General Assembly may decide.

15 The Director of the Budget is empowered, when the Director of the Budget
 16 determines it is in the best interest of the State and the State parks system to do so, and
 17 if the cost of a particular project is less than the projected allocation, to use the excess
 18 funds to increase the size of that project or increase the size of any other project
 19 described in this section, or to increase the amount allocated to a particular project
 20 within the aggregate amount of funds available under this section; provided that the
 21 Director of the Budget may consult with the Advisory Budget Commission and the Joint
 22 Legislative Commission on Governmental Operations. To the extent that funds are not
 23 required to be expended for the specific projects described in this section, allocations
 24 authorized herein may be used for capital outlay projects at any State parks as
 25 replacement projects, but no such funds may be used for operating expenditures.

26 \$46,953,100 of the proceeds of State parks and zoo bonds and notes shall be
 27 allocated and expended for paying the cost of the State parks capital facilities as the
 28 General Assembly shall designate at the session at which this bill is ratified or any
 29 subsequent session of the General Assembly.

30 Any additional moneys which may be received by means of a grant or grants
 31 from the United States of America or any agency or department thereof or from any
 32 other source to aid in financing the cost of any State parks facilities or the State zoo
 33 authorized by this act may be placed by the State Treasurer in the State Parks and Zoo
 34 Bonds Account or in a separate account or fund and shall be disbursed, to the extent
 35 permitted by the terms of such grant or grants, without regard to any limitations
 36 imposed by this act.

37 The proceeds of the State parks and zoo bonds and notes may be used with
 38 any other moneys made available by the General Assembly for the cost of State parks
 39 and zoo facilities, including the proceeds of any other State bond issues, whether
 40 heretofore made available or which may be made available at the session of the General
 41 Assembly at which this act is ratified or any subsequent sessions. The proceeds of State
 42 parks and zoo bonds and notes shall be expended and disbursed under the direction and
 43 supervision of the Director of the Budget. The funds provided by this act for State
 44 parks facilities and the State zoo shall be disbursed for the purposes provided in this act

1 upon warrants drawn on the State Treasurer by the State Comptroller, which warrants
2 shall not be drawn until requisition has been approved by the Director of the Budget and
3 which requisition shall be approved only after full compliance with the Executive
4 Budget Act, Article 1 of Chapter 143 of the General Statutes.

5 Sec. 8. Solid Waste Management.

6 (a) Findings and determinations. It is the intent and purpose of the General
7 Assembly by this act to provide for the issuance of general obligation bonds of the State
8 in order to facilitate the implementation of local and regional solid waste programs by
9 providing funding for the Solid Waste Management Loan Fund established by Chapter
10 159I of the General Statutes.

11 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
12 of the qualified voters of the State who vote on the question of issuing solid waste
13 management bonds in the election called and held as hereinafter provided, the State
14 Treasurer is hereby authorized, by and with the consent of the Council of State, to issue
15 and sell, at one time or from time to time, general obligation bonds of the State to be
16 designated "State of North Carolina Solid Waste Management Bonds," with such
17 additional designations as may be determined to indicate the issuance of bonds from
18 time to time, or notes of the State as herein provided, in the aggregate principal amount
19 not exceeding five million dollars (\$5,000,000) for the purposes authorized in this act.

20 (c) Uses of bond and note proceeds. The proceeds of solid waste management
21 bonds and notes shall be used for the purposes of making deposits to the Solid Waste
22 Management Loan Fund established by Chapter 159I of the General Statutes and shall
23 be used for any purpose for which moneys in the Solid Waste Management Loan Fund
24 may be used.

25 (d) Allocation of proceeds. The proceeds of solid waste management bonds and
26 notes, including premium thereon, if any, except the proceeds of bonds the issuance of
27 which has been anticipated by bond anticipation notes or the proceeds of refunding
28 bonds or notes, shall be placed by the State Treasurer in a special account to be
29 designated "Solid Waste Management Bonds Account" to be established in the "State
30 General Purpose Bond Fund" hereinafter mentioned. Moneys in the Solid Waste
31 Management Bonds Account shall be used for the purposes set forth in this section, and
32 the particular deposits to the Solid Waste Management Loan Fund to be made from the
33 proceeds shall be determined from time to time by the North Carolina Solid Waste
34 Management Capital Projects Financing Agency created pursuant to G.S. 159I-4.

35 Any additional moneys which may be received by means of a grant or grants
36 from the United States of America or any agency or department thereof or from another
37 source for deposit to the Solid Waste Management Loan Fund may be placed by the
38 State Treasurer in the Solid Waste Management Bonds Account or in a separate account
39 or fund and shall be disbursed, to the extent permitted by the terms of such grant or
40 grants, without regard to any limitations imposed by this act.

41 The proceeds of solid waste management bonds and notes may be used with
42 other moneys made available by the General Assembly for making deposits to the Solid
43 Waste Management Loan Fund, including the proceeds of any other State bond issues,
44 whether heretofore made available or which may be made available at the session of the

1 General Assembly at which this act is ratified or any subsequent sessions. The proceeds
2 of solid waste management bonds and notes shall be expended and disbursed under the
3 direction and supervision of the Director of the Budget. The funds provided by this act
4 for making deposits to the Solid Waste Management Loan Fund shall be disbursed for
5 the purposes provided in this act upon warrants drawn on the State Treasurer by the
6 State Comptroller, which warrants shall not be drawn until requisition has been
7 approved by the Director of the Budget and which requisition shall be approved only
8 after full compliance with the Executive Budget Act, Article I of Chapter 143 of the
9 General Statutes.

10 Sec. 9. Area Mental Health Facilities Bonds.

11 (a) Findings and determinations. It is the intent and purpose of the General
12 Assembly by this act to provide for the issuance of general obligation bonds of the State
13 in order to facilitate the payment of the capital costs required in providing facilities
14 offering mental health, developmental disabilities, and substance abuse treatment
15 services by Area Mental Health, Developmental Disabilities, and Substance Abuse
16 Authorities.

17 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
18 of the qualified voters of the State who vote on the question of issuing area mental
19 health facilities bonds in the election called and held as hereinafter provided, the State
20 Treasurer is hereby authorized, by and with the consent of the Council of State, to issue
21 and sell, at one time or from time to time, general obligation bonds of the State to be
22 designated "State of North Carolina Area Mental Health Facilities Bonds," with such
23 additional designations as may be determined to indicate the issuance of bonds from
24 time to time, or notes of the State as herein provided, in an aggregate principal amount
25 not exceeding twenty-five million dollars (\$25,000,000) for the purposes authorized in
26 this act.

27 (c) Uses of bond and note proceeds. The proceeds of area mental health facilities
28 bonds and notes shall be used for the purpose of making grants to counties or to Area
29 Mental Health, Developmental Disabilities, and Substance Abuse Authorities to pay the
30 cost of land and buildings to be owned by such counties or Area Mental Health,
31 Developmental Disabilities, and Substance Abuse Authorities or for reconstruction or
32 improvements of existing buildings owned by counties or Area Mental Health,
33 Developmental Disabilities, and Substance Abuse Authorities, in either case to provide
34 primary centers, satellite centers, or group homes to be used by Area Mental Health,
35 Developmental Disabilities, and Substance Abuse Authorities to provide mental health,
36 developmental disabilities, and substance abuse treatment services pursuant to G.S.
37 122C-115.

38 Grants shall be made only for the purposes authorized by this section. The
39 funds provided by this act for the making of grants to counties or Area Mental Health,
40 Developmental Disabilities, and Substance Abuse Authorities, when received from the
41 State Treasurer as herein provided, shall be deposited by the Department of Human
42 Resources in a special fund established with the Department of Human Resources and
43 to be designated "Area Mental Health Facilities Grant Fund."

1 Grants shall be made by the Secretary of the Department of Human
2 Resources upon recommendation of the North Carolina Medical Care Commission. In
3 determining to recommend to the Secretary that a grant be awarded, the North Carolina
4 Medical Care Commission shall consider:

- 5 (1) The need for the proposed capital improvement;
- 6 (2) The ability of the applicant to pay the cost of the capital improvement
7 from other sources available to the applicant; and
- 8 (3) The ability of the applicant to pay the cost of operating the proposed
9 capital improvement to be paid from the grant.

10 The Secretary of the Department of Human Resources may approve the
11 recommendation of the North Carolina Medical Care Commission and the grant shall be
12 approved if the Secretary finds and determines, which finding and determination shall
13 be binding and conclusive, that:

- 14 (1) The applicant has demonstrated a need for the proposed capital
15 improvement and that no other practicable source of payment is
16 available;
- 17 (2) It is reasonably expected that sufficient funding will be available to
18 pay the cost of operating the proposed capital improvement; and
- 19 (3) The awarding of the grant to pay the cost of the proposed capital
20 improvement will further the mental health, developmental disability,
21 or substance abuse treatment needs of the State of North Carolina.

22 (d) Allocation of proceeds. The proceeds of area mental health facilities bonds
23 and notes, including premium thereon, if any, except the proceeds of bonds the issuance
24 of which has been anticipated by bond anticipation notes or the proceeds of refunding
25 bonds or notes, shall be placed by the State Treasurer in a special account to be
26 designated "Area Mental Health Facilities Bonds Account" to be established in the
27 "State General Purpose Bond Fund" hereinafter mentioned. Moneys in the Area Mental
28 Health Facilities Bonds Account shall be used for the purposes set forth in this section,
29 and the particular deposits to be made to the Area Wide Mental Health Facilities Grant
30 Fund shall be determined from time to time by the Secretary of Human Resources.

31 Any additional moneys which may be received by means of a grant or grants
32 from the United States of America or any agency or department thereof or from any
33 other source to aid in financing the cost of any facilities to be provided by Area Mental
34 Health Facilities grants authorized by this act may be placed by the State Treasurer in
35 the Area Mental Health Facilities Bonds Account or in a separate account or fund and
36 shall be disbursed, to the extent permitted by the terms of such grant or grants, without
37 regard to any limitations imposed by this act.

38 The proceeds of Area Mental Health Facilities bonds and notes may be used
39 with any other moneys made available by the General Assembly for the making of
40 grants, including the proceeds of any other State bond issues, whether heretofore made
41 available or which may be made available at the session of the General Assembly at
42 which this act is ratified or any subsequent sessions. The proceeds of area mental health
43 facilities bonds and notes shall be expended and disbursed under the direction and
44 supervision of the Director of the Budget. The funds provided by this act for area

1 mental health facilities grants shall be disbursed for the purposes provided in this act
2 upon warrants drawn on the State Treasurer by the State comptroller, which warrants
3 shall not be drawn until requisition has been approved by the Director of the Budget and
4 which requisition shall be approved only after full compliance with the Executive
5 Budget Act, Article 1 Chapter 143 of the General Statutes.

6 Sec. 10. State Buildings Renovation Bonds.

7 (a) Findings and determination. It is the intent and purpose of the General
8 Assembly by this act to provide for the issuance of general obligation bonds of the State
9 in order to facilitate the repairing and renovating of existing State buildings.

10 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
11 of the qualified voters of the State who vote on the question of issuing State buildings
12 renovation bonds in the election called and held as hereinafter provided, the State
13 Treasurer is hereby authorized, by and with the consent of the Council of State, to issue
14 and sell, at one time or from time to time, general obligation bonds of the State to be
15 designated "State of North Carolina State Buildings Renovation Bonds," with such
16 additional designations as may be determined to indicate the issuance of bonds from
17 time to time, or notes of the State as herein provided, in an aggregate principal amount
18 not exceeding fifty million dollars (\$50,000,000) for the purposes authorized in this act.

19 (c) Uses of bond and note proceeds. The proceeds of State buildings renovation
20 bonds and notes shall be used for the purposes of paying the cost of renovating,
21 reconstructing, and repairing and equipping existing State buildings.

22 (d) Allocation of proceeds. The proceeds of State buildings renovation bonds
23 and notes, including premium thereon, if any, except the proceeds of bonds the issuance
24 of which has been anticipated by bond anticipation notes or the proceeds of refunding
25 bonds or notes, shall be placed by the State Treasurer in a special account to be
26 designated "State Buildings Renovation Bonds Account" to be established in the "State
27 General Purpose Bond Fund" hereinafter mentioned. Moneys in the State Buildings
28 Construction and Renovation Bonds Account shall be used to pay the costs of
29 renovating, reconstruction, and repairing and equipping existing State buildings. The
30 particular projects within such purposes to be financed in whole or in part from the
31 proceeds of State buildings renovation bonds shall be determined from time to time by
32 the Director of the Office of State Budget and Management. In determining the
33 particular projects to be financed, the Director of the Office of State Budget and
34 Management shall develop criteria to establish a priority system under which projects
35 for renovation, reconstruction, repair, and equipping shall be approved. The criteria
36 shall include such factors as the Director of the Office of State Budget and Management
37 shall deem appropriate in order to accomplish the purposes of this act. Such criteria
38 shall include:

- 39 (1) Any improvement project shall be in an amount not less than fifty
40 thousand dollars (\$50,000).
- 41 (2) Renovations, reconstruction, repairs, and equipping of State buildings
42 shall be approved in the following order of priority:
- 43 a. Repair or replacement of roofs;
- 44 b. Installation of utilities;

- 1 c. Installation of life-safety improvements, including asbestos
2 removal;
3 d. HVAC repairs, renovations, and replacements;
4 e. Design renovations for more efficient use of walking space; and
5 f. Other improvements, including, without limitation, installation
6 of driveways and walkways, landscaping, and installation of
7 irrigation systems.

8 Any additional moneys which may be received by means of a grant or grants
9 from the United States of America or any agency or department thereof or from any
10 other source to aid in financing the cost of renovation, reconstruction, repair or
11 equipping of any State buildings may be placed by the State Treasurer in the State
12 Buildings Renovation Bonds Account or in a separate account or fund and shall be
13 disbursed, to the extent permitted by the terms of such grant or grants, without regard to
14 any limitations imposed by this act.

15 The proceeds of the State buildings renovation bonds and notes may be used
16 with any other moneys made available by the General Assembly for the cost of
17 renovation, reconstruction, repair, or equipping of State buildings, including the
18 proceeds of any other State bond issues, whether heretofore made available or which
19 may be made available at the session of the General Assembly at which this act is
20 ratified or any subsequent sessions. The proceeds of State buildings renovation bonds
21 and notes shall be expended and disbursed under the direction and supervision of the
22 Director of the Budget. The funds provided by this act for State buildings renovation,
23 reconstruction, repair, and equipping shall be disbursed for the purposes provided in this
24 act upon warrants drawn on the State Treasurer by the State Comptroller, which
25 warrants shall not be drawn until requisition has been approved by the Director of the
26 Budget and which requisition shall be approved only after full compliance with the
27 Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.

28 Sec. 11. Housing Bonds.

29 (a) Findings and determinations. It is the intent and purpose of the General
30 Assembly by this act to provide for the issuance of general obligation bonds of the State
31 in order to increase the supply of decent, affordable, and energy efficient housing for
32 very low and low income residents of the State by providing funding for the North
33 Carolina Housing Trust Fund established by Chapter 122E of the General Statutes.

34 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
35 of the qualified voters of the State who vote on the question of issuing housing bonds in
36 the election called and held as hereinafter provided, the State Treasurer is hereby
37 authorized, by and with the consent of the Council of State, to issue and sell, at one time
38 or from time to time, general obligation bonds of the State to be designated "State of
39 North Carolina Housing Bonds," with such additional designations as may be
40 determined to indicate the issuance of bonds from time to time, or notes of the State as
41 herein provided, in an aggregate principal amount not exceeding five million dollars
42 (\$5,000,000) for the purposes authorized in this act.

43 (c) Uses of bond and note proceeds. The proceeds of housing bonds and notes
44 shall be used for the purposes of making deposits to the North Carolina Housing Trust

1 Fund established by Chapter 122E of the General Statutes, to be used to make loans to
2 eligible applicants as described in G.S. 122E-7, including, as provided in G.S. 122E-7,
3 units of State and local governments, including municipal corporations, and for-profit
4 and nonprofit housing developers to finance the cost of construction of new housing
5 units, including costs of land acquisition and site preparation, and rehabilitation of
6 substandard existing housing units, including weatherization. Such amounts shall be
7 loaned by the North Carolina Housing Trust Fund in such a manner so as to ensure that
8 the uses thereof directly benefit very low and low income persons as set forth in
9 subdivisions (2) and (3) of G.S. 122E-6(a).

10 The particular loans to be made by the North Carolina Housing Trust Fund
11 shall be determined from time to time by the North Carolina Housing Partnership
12 created pursuant to G.S. 122E-4. The North Carolina Housing Finance Agency shall
13 administer the loans and loan programs pursuant to which the proceeds of housing
14 bonds shall be loaned to eligible applicants as provided by this section.

15 (d) Allocation of proceeds. The proceeds of housing bonds and notes, including
16 premium thereon, if any, except the proceeds of bonds the issuance of which has been
17 anticipated by bond anticipation notes or the proceeds of refunding bonds or notes, shall
18 be placed by the State Treasurer in a special account to be designated "Housing Bonds
19 Account" to be established in the "State General Purpose Bond Fund" hereinafter
20 mentioned. Moneys in the Housing Bonds Account shall be used for the purposes set
21 forth in this section.

22 Any additional moneys which may be received by means of a grant or grants
23 from the United States of America or any agency or department thereof or from another
24 source for deposit to the North Carolina Housing Trust Fund may be placed by the State
25 Treasurer in the Housing Bonds Account or in a separate account or fund and shall be
26 disbursed, to the extent permitted by the terms of such grant or grants, without regard to
27 any limitations imposed by this act.

28 The proceeds of housing bonds and notes may be used with other moneys
29 made available by the General Assembly for making deposits to the North Carolina
30 Housing Trust Fund, including the proceeds of any other State bond issues, whether
31 heretofore made available or which may be made available at the session of the General
32 Assembly at which this act is ratified or any subsequent sessions. The proceeds of
33 housing bonds and notes shall be expended and disbursed under the direction and
34 supervision of the Director of the Budget. The funds provided by this act for making
35 deposits to the North Carolina Housing Trust Fund shall be disbursed for the purposes
36 provided in this act upon warrants drawn on the State Treasurer by the State
37 Comptroller, which warrants shall not be drawn until requisition has been approved by
38 the Director of the Budget and which requisition shall be approved only after full
39 compliance with the Executive Budget Act, Article 1 of Chapter 143 of the General
40 Statutes.

41 Sec. 12. Public Library Bonds.

42 (a) Findings and determinations. It is the intent and purpose of the General
43 Assembly by this act to provide for the issuance of general obligation bonds of the State

1 in order to facilitate the providing of public library facilities by counties, cities, and joint
2 library systems created pursuant to G.S. 153A-270.

3 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
4 of the qualified voters of the State who vote on the question of issuing public library
5 bonds in the election called and held as hereinafter provided, the State Treasurer is
6 hereby authorized, by and with the consent of the Council of State, to issue and sell, at
7 one time or from time to time, general obligation bonds of the State to be designated
8 "State of North Carolina Public Library Bonds," with such additional designations as
9 may be determined to indicate the issuance of bonds from time to time, or notes of the
10 State as herein provided, in an aggregate principal amount not exceeding ten million
11 dollars (\$10,000,000) for the purposes authorized in this act.

12 (c) Uses of bond and note proceeds. The proceeds of public library bonds and
13 notes shall be used for the purpose of making grants to counties and cities, as defined in
14 G.S. 160A-1(2), and to joint library systems created pursuant to G.S. 153A-270, to pay
15 the cost of library facilities, including without limitation, fixed and mobile libraries, to
16 be owned by counties, cities, or joint library systems and used to provide public library
17 services.

18 Grants shall be made only for the purposes authorized by this section. The
19 funds provided by this act for the making of grants to counties, cities, or joint library
20 systems when received from the State Treasurer as herein provided, shall be deposited
21 by the Department of Cultural Resources in a special fund established with the
22 Department of Cultural Resources and to be designated "Public Library Facilities Grant
23 Fund."

24 Grants shall be made by the Department of Cultural Resources to individual
25 counties, cities, and joint library systems for the purposes authorized by this section.
26 The award of any grant shall be contingent upon the contribution by the individual
27 county, city, or joint library system of a matching amount determined as hereinafter set
28 forth. The required matching amount for an individual county or city shall be
29 determined by the Secretary of Cultural Resources based on such county's rank, or in
30 the case of a city, the rank of the county in which such city is located and if such city is
31 located in more than one county, the county in which the majority of the population of
32 the city resides, in a ranking of counties by per capita income from highest to lowest by
33 the Office of State Budget and Management for the most recent 36-month period for
34 which data is available as follows:

Rank in per capita income (highest to lowest)	Matching requirement (percentage)
1 to 25	200%
26 to 75	100%
76 to 100	-0-

40 If a grant is to a joint library system involving more than one county, the matching
41 amount shall be determined by the average of the rankings of the applicable counties.
42 Contributions of matching funds may be made by counties or cities from any source
43 lawfully available therefor.

44 In the making of grants, the Secretary of Cultural Resources shall consider:

- 1 (1) The need for the facilities proposed to be constructed;
- 2 (2) The amount of the grant requested;
- 3 (3) The estimated needs of the public libraries throughout the State;
- 4 (4) Whether the public library for which the grant will be awarded
- 5 complies with existing criteria for the receipt of State funding; and
- 6 (5) Whether or not the applicant has previously received a grant.

7 The Secretary of Cultural Resources may approve the making of a grant if
8 such Secretary finds and determines, which finding and determination shall be binding
9 and conclusive, that:

- 10 (1) The county, city, or joint library system has demonstrated to the
- 11 Secretary by appropriate documentation the need for the facilities; and
- 12 (2) The county, city, or joint library system has demonstrated to the
- 13 Secretary by appropriate documentation that the facilities to be
- 14 provided by the grant funds are needed to offer adequate, modern
- 15 library services and facilities in the county or city or the service area of
- 16 the joint library system.

17 The General Assembly may change from time to time the officer making the
18 determination as to the making of grants, the manner of making such determinations and
19 the amount of the contribution required of a county, city, or joint library system.

20 (d) Allocation of proceeds. The proceeds of public library bonds and notes,
21 including premium thereon, if any, except the proceeds of bonds the issuance of which
22 has been anticipated by bond anticipation notes or the proceeds of refunding bonds or
23 notes, shall be placed by the State Treasurer in a special account to be designated
24 "Public Library Bonds Account" to be established in the "State General Purpose Bond
25 Fund" hereinafter mentioned. Moneys in the Public Library Bonds Account shall be
26 used for the purposes set forth in this section.

27 Any additional moneys which may be received by means of a grant or grants
28 from the United States of America or any agency or department thereof or from any
29 other source to aid in financing the cost of any library facilities authorized by this act
30 may be placed by the State Treasurer in the Public Library Bonds Account or in a
31 separate account or fund and shall be disbursed, to the extent permitted by the terms of
32 such grant or grants, without regard to any limitations imposed by this act.

33 The proceeds of public library bonds and notes may be used with any other
34 moneys made available by the General Assembly for the making of grants, including the
35 proceeds of any other State bond issues, whether heretofore made available or which
36 may be made available at the session of the General Assembly at which this act is
37 ratified or any subsequent sessions. The proceeds of public library bonds and notes
38 shall be expended and disbursed under the direction and supervision of the Director of
39 the Budget. The funds provided by this act for public library grants shall be disbursed
40 for the purposes provided in this act upon warrants drawn on the State Treasurer by the
41 State Comptroller, which warrants shall not be drawn until requisition has been
42 approved by the Director of the Budget and which requisition shall be approved only
43 after full compliance with the Executive Budget Act, Article 1 of Chapter 143 of the
44 General Statutes.

Sec. 13. State Buildings Construction and Equipment Bonds.

(a) Findings and determination. It is the intent and purpose of the General Assembly by this act to provide for the issuance of general obligation bonds of the State in order to facilitate the constructing, equipping, and furnishing new State buildings.

(b) Authorization of bonds and notes. Subject to a favorable vote of a majority of the qualified voters of the State who vote on the question of issuing State buildings construction and equipment bonds in the election called and held as hereinafter provided, the State Treasurer is hereby authorized, by and with the consent of the Council of State, to issue and sell, at one time or from time to time, general obligation bonds of the State to be designated "State of North Carolina State Buildings Construction and Equipment Bonds,"with such additional designations as may be determined to indicate the issuance of bonds from time to time, or notes of the State as herein provided, in an aggregate principal amount not exceeding sixty-six million eight hundred ninety-five thousand dollars (\$66,895,000) for the purposes authorized in this act.

(c) Uses of bond and note proceeds. The proceeds of State buildings construction and equipment bonds and notes shall be used for the purposes of paying the cost of purchasing land and constructing, furnishing, and equipping new State buildings.

(d) Allocation of proceeds. The proceeds of State buildings bonds and notes, including premium thereon, if any, except the proceeds of bonds the issuance of which has been anticipated by bond anticipation notes or the proceeds of refunding bonds or notes, shall be placed by the State Treasurer in a special account to be designated "State Buildings Construction and Equipment Bonds Account"to be established in the "State General Purpose Bond Fund"hereinafter mentioned. Moneys in the State Buildings Construction and Bonds Account shall be used for the purposes set forth in this section. The proceeds of State buildings construction and equipment bonds shall be allocated and expended for paying the costs of purchasing land and constructing, furnishing, and equipping new State buildings, to the extent and as provided in this act and subject to changes as herein provided, as follows:

<u>Department</u>	<u>Project</u>	<u>Amount</u>
Department of Agriculture 7,005,130	Construction and equipping new Agronomic Lab	\$
Department of Justice	Construction 20,200,000 equipping laboratory complex for the State Bureau of Investigation	and

1 Department of Justice Construction and
 2 2,500,000
 3 equipping Justice Academy
 4 at Salemburg classroom
 5 building and resource center
 6
 7 Department of Cultural Construction and
 8 27,000,000
 9 Resources equipping North Carolina
 10 Museum of History
 11
 12 Department of Cultural Equipment and
 13 4,215,800
 14 Resources furnishings for North
 15 Carolina Museum of
 16 Natural History
 17
 18 Department of Agriculture Land purchase for the
 19 350,000
 20 Western Carolina
 21 Agricultural Center
 22
 23 Department of Agriculture Construction of
 24 1,752,610
 25 facility for Southeastern
 26 Farmers Market
 27 Department of Agriculture Construction of a
 28 2,771,460
 29 facility for Piedmont
 30 Triad Farmers Market
 31
 32 Office of State Budget Construction of a
 33 1,100,000
 34 and Management sheltered workshop for
 35 the Division of Vocational
 36 Rehabilitation on the campus
 37 of Dorothea Dix Hospital
 38
 39 No amounts shall be expended for construction of a sheltered workshop for the Division
 40 of Vocational Rehabilitation on the campus of Dorothea Dix Hospital unless prior to or
 41 concurrently therewith the United States government has expended an equal amount
 42 towards construction of the workshop. The particular projects and the amount of the
 43 allocation therefor, and the matching requirement in connection with the expenditure

1 therefor set forth above may be changed from time to time as the General Assembly
2 may decide.

3 Projected allocations set forth above may be adjusted to reflect the
4 availability of other funds.

5 The Director of the Budget is empowered, when the Director of the Budget
6 determines it is in the best interest of the State to do so, and if the cost of a particular
7 project is less than the projected allocation, to use the excess funds to increase the size
8 of that project or increase in the size of any other project described in this section, or to
9 increase the amount allocated to a particular project within the aggregate amount of
10 funds available under this section; provided, however, that the Director of the Budget
11 may consult with the Advisory Budget Commission and the Joint Legislative
12 Commission on Governmental Operations. To the extent that funds are not required to
13 be expended for the specific projects described in this section, allocations authorized
14 herein may be used for construction and equipping of any other new State buildings.

15 The proceeds of the State buildings construction and equipment bonds and
16 notes may be used with any other moneys made available by the General Assembly for
17 the cost of construction, furnishing, and equipping State buildings, including the
18 proceeds of any other State bond issues, whether heretofore made available or which
19 may be made available at the session of the General Assembly at which this act is
20 ratified or any subsequent sessions. The proceeds of State buildings construction and
21 equipment bonds and notes shall be expended and disbursed under the direction and
22 supervision of the Director of the Budget. The funds provided by this act for State
23 buildings construction and equipment shall be disbursed for the purposes provided in
24 this act upon warrants drawn on the State Treasurer by the State Comptroller, which
25 warrants shall not be drawn until requisition has been approved by the Director of the
26 Budget and which requisition shall be approved only after full compliance with the
27 Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.

28 Sec. 14. Aviation Museum Bonds.

29 (a) Findings and determinations. It is the intent and purpose of the General
30 Assembly by this act to provide for the issuance of general obligation bonds of the State
31 in order to provide support, together with the support of other entities herein referred to,
32 for the creation and construction of the Cunningham Air Museum, a museum of
33 aeronautics to be opened to the public and to be located on the Marine Air Base in
34 Havelock, North Carolina.

35 (b) Authorization of bonds and notes. Subject to a favorable vote of a majority
36 of the qualified voters of the State who vote on the question of issuing aviation museum
37 bonds in the election called and held as hereinafter provided, the State Treasurer is
38 hereby authorized, by and with the consent of the Council of State, to issue and sell, at
39 one time or from time to time, general obligation bonds of the State to be designated
40 "State of North Carolina Aviation Museum Bonds," with such additional designations as
41 may be determined to indicate the issuance of bonds from time to time, or notes of the
42 State as herein provided, in an aggregate principal amount not exceeding two million
43 four hundred thousand dollars (\$2,400,000) for the purposes authorized in this act.

1 (c) Uses of bond and note proceeds. The proceeds of aviation museum bonds
2 and notes shall be used for the purposes of providing a contribution by the State,
3 together with other available funds, to pay the costs of constructing a museum of
4 aeronautics and aviation known as the Cunningham Air Museum, and to be open to the
5 public and to be located in Havelock, North Carolina, and owned by the Department of
6 the Navy of the United States of America. The contribution to be made shall be for the
7 costs of construction of the museum. The contribution from the proceeds of the aviation
8 museum bonds and notes shall be made by the State pursuant to an agreement between
9 the State by the Director of the Office of State Budget and Management, on behalf of
10 the Director of the Budget, and an agency or department of the United States
11 government, which agreement shall be subject to the approval of the Council of State.
12 The agreement shall contain provisions necessary to assure that the proceeds of aviation
13 museum bonds and notes are applied for the accomplishment of public purposes only,
14 within the meaning of Article V, Section 2(7) of the North Carolina Constitution,
15 including, without limitation, provisions to assure that the museum of aeronautics and
16 aviation shall be open to the public.

17 (d) Allocation of proceeds. The proceeds of aviation museum bonds and notes,
18 including premium thereon, if any, except the proceeds of bonds the issuance of which
19 has been anticipated by bond anticipation notes or the proceeds of refunding bonds or
20 notes, shall be placed by the State Treasurer in a special account to be designated "State
21 Aviation Museum Bonds Account" to be established in the "State General Purpose Bond
22 Fund" hereinafter mentioned. Moneys in the State Aviation Museum Bonds Account
23 shall be used for the purposes set forth in this section.

24 Any additional moneys which may be received by means of a grant or grants
25 from the United States of America or any agency or department thereof or from any
26 other source to aid in financing the cost of the museum of aeronautics and aviation
27 authorized by this act may be placed by the State Treasurer in the State Aviation
28 Museum Bonds Account or in a separate account or fund and shall be disbursed, to the
29 extent permitted by the terms of such grant or grants, without regard to any limitations
30 imposed by this act.

31 The proceeds of aviation museum bonds and notes may be used with any
32 other moneys made available by the General Assembly for the State's contribution to the
33 cost of a museum of aeronautics and aviation, including the proceeds of any other State
34 bond issues, whether heretofore made available or which may be made available at the
35 session of the General Assembly at which this act is ratified or any subsequent sessions.
36 The proceeds of aviation museum bonds and notes shall be expended and disbursed
37 under the direction and supervision of the Director of the Budget. The funds provided
38 by this act for the museum of aeronautics and aviation shall be disbursed for the
39 purposes provided in this act upon warrants drawn on the State Treasurer by the State
40 Comptroller, which warrants shall not be drawn until requisition has been approved by
41 the Director of the Budget and which requisition shall be approved only after full
42 compliance with the Executive Budget Act, Article 1 of Chapter 143 of the General
43 Statutes.

1 Sec. 15. Election. The questions of the issuance of the following bonds of
2 the State of North Carolina authorized by this act shall each be submitted to the
3 qualified voters of the State at an election to be held on a date to be fixed by the
4 Governor by proclamation issued by him, but in any event not later than November 5,
5 1991:

6		
7	\$ 5,650,000	Head Start Program Assistance Bonds
8	40,000,000	Public Schools Bonds
9	51,200,000	Community College Bonds
10	283,855,000	University Improvement Bonds
11	55,000,000	State Parks and Zoo Bonds
12	66,895,000	State Buildings Construction and Equipment 13 Bonds
14	25,000,000	Area Mental Health Facilities Bonds
15	5,000,000	Solid Waste Management Bonds
16	50,000,000	State Buildings Renovation Bonds
17	5,000,000	Housing Bonds
18	10,000,000	Public Library Bonds
19	2,400,000	Aviation Museum Bonds
20		

21 Any other primary, election or referendum validly called or scheduled by law at the
22 time the election on the bond questions provided for in this section is held may be held
23 as called or scheduled. Notice of the election on the bond questions shall be given by
24 publication twice in a newspaper or newspapers having general circulation in each
25 county in the State, and the election and the registration of voters therefor shall be held
26 under and in accordance with the general laws of the State. Absentee ballots shall be
27 authorized in the election.

28 The State Board of Elections shall reimburse the counties of the State for all
29 necessary expenses incurred in holding the election which are in addition to those which
30 would have otherwise been incurred, the same to be paid out of the Contingency and
31 Emergency Fund or other available funds.

32 Voting machines may be used in accordance with the rules and regulations
33 prescribed by the State Board of Elections. The State Board of Elections may also
34 cause to be printed and distributed, to the extent necessary, ballots for use in the
35 election. The bond questions to be used in the voting machines and any ballots shall be
36 in substantially the following forms:

37 [] FOR the issuance of five million six hundred fifty thousand dollars
38 (\$5,650,000) State of North Carolina Head Start Program Assistance
39 bonds secured by a pledge of the faith and credit and taxing power of
40 the State for making contributions by the State to public agencies and
41 nonprofit corporations to pay, with any other available funds, the cost
42 of providing and equipping classroom facilities for use by such entities
43 in delivering comprehensive health, educational, nutritional, social and
44 other services primarily, to preschool children.

- 1 [] AGAINST the issuance of five million six hundred fifty thousand
2 dollars (\$5,650,000) State of North Carolina Head Start Program
3 Assistance Bonds secured by a pledge of the faith and credit and
4 taxing power of the State for making contributions by the State to
5 public agencies and nonprofit corporations to pay, with any other
6 available funds, the cost of providing and equipping classroom
7 facilities for use by such entities in delivering comprehensive health,
8 educational, nutritional, social and other services primarily, to
9 preschool children.
- 10 [] FOR the issuance of forty million dollars (\$40,000,000) State of North
11 Carolina Public School building bonds secured by a pledge of the faith
12 and credit and taxing power of the State for paying, with any other
13 available funds, the cost of providing public school buildings and other
14 capital projects to be used for instructional purposes for counties that
15 have the greatest critical school building needs in relation to resources
16 available to pay for school building needs.
- 17 [] AGAINST the issuance of forty million dollars (\$40,000,000) State of
18 North Carolina Public School Building Bonds secured by a pledge of
19 the faith and credit and taxing power of the State for paying, with any
20 other available funds, the cost of providing public school buildings and
21 other capital projects to be used for instructional purposes for counties
22 that have the greatest critical school building needs in relation to
23 resources available to pay for school building needs.
- 24 [] FOR the issuance of fifty-one million two hundred thousand dollars
25 (\$51,200,000) State of North Carolina Community College Bonds
26 secured by a pledge of the faith and credit and taxing power of the
27 State for making loans and grants to community and technical colleges
28 to pay, together with other available funds, the cost of capital
29 improvements.
- 30 [] AGAINST the issuance of fifty-one million two hundred thousand
31 dollars (\$51,200,000) State of North Carolina University Improvement
32 Bonds secured by a pledge of the faith and credit and taxing power of
33 the State for making loans and grants to community and technical
34 colleges to pay, together with other available funds, the cost of capital
35 improvements.
- 36 [] FOR the issuance of two hundred eighty-three million eight hundred
37 fifty-five thousand dollars (\$283,855,000) State of North Carolina
38 University Improvement Bonds secured by a pledge of the faith and
39 credit and taxing power of the State for paying, with any other
40 available funds, the cost of capital improvements at the constituent
41 institutions and the Center for Public Television of the University of
42 North Carolina.
- 43 [] AGAINST the issuance of two hundred eighty-three million eight
44 hundred fifty-five thousand dollars (\$283,855,000) State of North

- 1 Carolina University Improvement Bonds secured by a pledge of the
2 faith and credit and taxing power of the State for paying, with any
3 other available funds, the cost of capital improvements at the
4 constituent institutions and the Center for Public Television of the
5 University of North Carolina.
- 6 [] FOR the issuance of fifty-five million dollars (\$55,000,000) State of
7 North Carolina State Parks and Zoo Bonds secured by a pledge of the
8 faith and credit and taxing power of the State for paying, with any
9 other available funds, the cost of capital facilities in State parks and
10 recreation areas and capital facilities for the North American Phase
11 exhibits at the State zoo.
- 12 [] AGAINST the issuance of fifty million dollars (\$50,000,000) State of
13 North Carolina State Parks Bonds secured by a pledge of the faith and
14 credit and taxing power of the State for paying, with any other
15 available funds, the cost of capital facilities in State parks and
16 recreation areas and capital facilities for the North American Phase
17 exhibits at the State zoo.
- 18 [] FOR the issuance of five million dollars (\$5,000,000) State of North
19 Carolina Solid Waste Management Bonds secured by a pledge of the
20 faith and credit and taxing power of the State for making a grant to the
21 North Carolina Solid Waste Management Loan Program Loan Fund
22 for providing, with any other available funds, loans and other forms of
23 financial assistance to units of local government to finance the capital
24 costs of solid waste management programs.
- 25 [] AGAINST the issuance of five million dollars (\$5,000,000) State of
26 North Carolina Solid Waste Management Bonds secured by a pledge
27 of the faith and credit and taxing power of the State for making a grant
28 to the North Carolina Solid Waste Management Loan Program Loan
29 Fund for providing, with any other available funds, loans and other
30 forms of financial assistance to units of local government to finance
31 the capital costs of solid waste management programs.
- 32 [] FOR the issuance of twenty-five million dollars (\$25,000,000) State of
33 North Carolina Area Mental Health Facilities Bonds secured by a
34 pledge of the faith and credit and taxing power of the State for making
35 grants to counties and Area Mental Health, Developmental
36 Disabilities, and Substance Abuse Authorities to pay, with any other
37 available funds, the cost of land and construction of capital
38 improvements to provide facilities for mental health, developmental
39 disabilities, and substance abuse treatment services.
- 40 [] AGAINST the issuance of twenty-five million dollars (\$25,000,000)
41 State of North Carolina Area Mental Health Facilities Bonds secured
42 by a pledge of the faith and credit and taxing power of the State for
43 making grants to counties and Area Mental Health, Developmental
44 Disabilities, and Substance Abuse Authorities to pay, with any other

- 1 available funds, the cost of land and construction of capital
2 improvements to provide facilities for mental health, developmental
3 disabilities, and substance abuse treatment services.
- 4 [] FOR the issuance of fifty million dollars (\$50,000,000) State of North
5 Carolina State Buildings Renovation Bonds secured by a pledge of the
6 faith and credit and taxing power of the State for paying, with any
7 other available funds, the cost of renovating, reconstructing, repairing,
8 and equipping existing State buildings.
- 9 [] AGAINST the issuance of fifty million dollars (\$50,000,000) State of
10 North Carolina State Buildings Renovation Bonds secured by a pledge
11 of the faith and credit and taxing power of the State for paying, with
12 any other available funds, the cost of renovating, reconstructing,
13 repairing, and equipping existing State buildings.
- 14 [] FOR the issuance of five million dollars (\$5,000,000) State of North
15 Carolina Housing Bonds secured by a pledge of the faith and credit
16 and taxing power of the State for making loans, including loans to
17 private corporations, to provide, with any other available funds, decent
18 and affordable housing to lower income persons.
- 19 [] AGAINST the issuance of five million dollars (\$5,000,000) State of
20 North Carolina Housing Bonds secured by a pledge of the faith and
21 credit and taxing power of the State for making loans, including loans
22 to private corporations, to provide, with any other available funds,
23 decent and affordable housing to lower income persons.
- 24 [] FOR the issuance of ten million dollars (\$10,000,000) State of North
25 Carolina Public Library Bonds secured by a pledge of the faith and
26 credit and taxing power of the State for making grants to counties,
27 cities and other units of local government to pay, with any other
28 available funds, the cost of public library facilities.
- 29 [] AGAINST the issuance of ten million dollars (\$10,000,000) State of
30 North Carolina Public Library Bonds secured by a pledge of the faith
31 and credit and taxing power of the State for making grants to counties,
32 cities and other units of local government to pay, with any other
33 available funds, the cost of public library facilities.
- 34 [] FOR the issuance of sixty-six million eight hundred ninety-five
35 thousand dollars (\$66,895,000) State of North Carolina State Buildings
36 Construction and Equipment Bonds secured by a pledge of the faith
37 and credit and taxing power of the State for paying, with any other
38 available funds, the cost of purchasing land and constructing,
39 furnishing, and equipping new State buildings.
- 40 [] AGAINST the issuance of sixty-six million eight hundred ninety-five
41 thousand dollars (\$66,895,000) State of North Carolina State Buildings
42 Construction Bonds and Equipment secured by a pledge of the faith
43 and credit and taxing power of the State for paying, with any other

1 available funds, the cost of purchasing land and constructing,
2 furnishing, and equipping new State buildings.

3 [] FOR the issuance of two million four hundred thousand dollars
4 (\$2,400,000) State of North Carolina Aviation Museum Bonds secured
5 by a pledge of the faith and credit and taxing powers of the State for
6 making a contribution by the State to pay, with any other available
7 funds, the cost of constructing an aviation museum to be known as the
8 Cunningham Air Museum to be located in Havelock and owned by the
9 Department of the Navy.

10 [] AGAINST the issuance of two million four hundred thousand dollars
11 (\$2,400,000) State of North Carolina Aviation Museum Bonds secured
12 by a pledge of the faith and credit and taxing powers of the State for
13 providing, with any other available funds, the cost of a contribution by
14 the State to pay costs of constructing an aviation museum to be known
15 as the Cunningham Air Museum to be located in Havelock and owned
16 by the Department of the Navy.

17 If a majority of those voting on a bond question in the election shall vote in favor of the
18 issuance of the bonds described in the question, such bonds may be issued as herein
19 provided. If a majority of those voting on a bond question in the election shall vote
20 against the issuance of the bonds described in the question, such bonds shall not be
21 issued.

22 The results of the election shall be canvassed and declared as provided by law
23 for the holding of elections for State officers and the results thereof certified by the
24 State Board of Elections to the Secretary of State, in the manner and at the time
25 provided by the general election laws of the State.

26 Sec. 16. Uses of Bond and Note Proceeds. The proceeds of bonds and notes,
27 including premium thereon, if any, except the proceeds of bonds the issuance of which
28 has been anticipated by bond anticipation notes or the proceeds of refunding bonds or
29 notes, shall be placed by the State Treasurer in the appropriate special account in a
30 special fund to be designated the "State General Purposes Bond Fund" and shall be
31 disbursed as herein provided.

32 Sec. 17. Issuance of Bonds and Notes.

33 (a) Terms and conditions. Bonds or notes may bear such date or dates, may be
34 serial or term bonds or notes, or any combination thereof, may mature in such amounts
35 and at such time or times, not exceeding 40 years from their date or dates, may be
36 payable at such place or places, either within or without the United States of America,
37 in such coin or currency of the United States of America as at the time of payment is
38 legal tender for payment of public and private debts, may bear interest at such rate or
39 rates, which may vary from time to time, and may be made redeemable before maturity,
40 at the option of the State or otherwise as may be provided by the State, at such price or
41 prices, including a price less than the face amount of the bonds or notes, and under such
42 terms and conditions, all as may be determined by the State Treasurer, by and with the
43 consent of the Council of State.

1 (b) Signatures; form and denomination; registration. Bonds or notes may be
2 issued as certificated or uncertificated obligations. If issued as certificated obligations,
3 bonds or notes shall be signed on behalf of the State by the Governor or shall bear his
4 facsimile signature, shall be signed by the State Treasurer or shall bear his facsimile
5 signature, and shall bear the Great Seal of the State or a facsimile thereof shall be
6 impressed or imprinted thereon. If bonds or notes bear the facsimile signatures of the
7 Governor and the State Treasurer, the bonds or notes shall also bear a manual signature
8 which may be that of a bond registrar, trustee, paying agent, or designated assistant of
9 the State Treasurer. Should any officer whose signature or facsimile signature appears
10 on bonds or notes cease to be such officer before the delivery of the bonds or notes, the
11 signature or facsimile signature shall nevertheless have the same validity for all
12 purposes as if the officer had remained in office until delivery and bonds or notes may
13 bear the facsimile signatures of persons who at the actual time of the execution of the
14 bonds or notes shall be the proper officers to sign any bond or note although at the date
15 of the bond or note such persons may not have been such officers. The form and
16 denomination of bonds or notes, including the provisions with respect to registration of
17 the bonds or notes and any system for their registration, shall be as the State Treasurer
18 may determine in conformity with this act; provided, however, that nothing in this act
19 shall prohibit the State Treasurer from proceeding, with respect to the issuance and form
20 of the bonds or notes, under the provisions of Chapter 159E of the General Statutes, the
21 Registered Public Obligations Act, as well as under this act.

22 (c) Manner of sale; expenses. Subject to determination by the Council of State as
23 to the manner in which bonds or notes shall be offered for sale, whether at public or
24 private sale, whether within or without the United States of America and whether by
25 publishing notices in certain newspapers and financial journals, mailing notices, inviting
26 bids by correspondence, negotiating contracts of purchase or otherwise, the State
27 Treasurer is authorized to sell bonds or notes at one time or from time to time at such
28 rate or rates of interest, which may vary from time to time, and at such price or prices,
29 including a price less than the face amount of the bonds or the notes, as the State
30 Treasurer may determine. All expenses incurred in preparation, sale and issuance of
31 bonds or notes shall be paid by the State Treasurer from the proceeds of bonds or notes
32 or other available moneys.

33 (d) Notes; repayment.

34 (1) By and with the consent of the Council of State, the State Treasurer is
35 hereby authorized to borrow money and to execute and issue notes of
36 the State for the same, but only in the following circumstances and
37 under the following conditions:

- 38 a. For anticipating the sale of bonds to the issuance of which the
39 Council of State shall have given consent, if the State Treasurer
40 shall deem it advisable to postpone the issuance of the bonds;
- 41 b. For the payment of interest on or any installment of principal of
42 any bonds then outstanding, if there shall not be sufficient funds
43 in the State treasury with which to pay the interest or
44 installment of principal as they respectively become due;

- 1 c. For the renewal of any loan evidenced by notes herein
2 authorized;
3 d. For the purposes authorized in this act; and
4 e. For refunding bonds or notes as herein authorized.

5 (2) Funds derived from the sale of bonds or notes may be used in the
6 payment of any bond anticipation notes issued under this act. Funds
7 provided by the General Assembly for the payment of interest on or
8 principal of bonds shall be used in paying the interest on or principal
9 of any notes and any renewals thereof, the proceeds of which shall
10 have been used in paying interest on or principal of the bonds.

11 (e) Refunding bonds and notes. By and with the consent of the Council of
12 State, the State Treasurer is authorized to issue and sell refunding bonds and notes
13 pursuant to the provisions of the State Refunding Bond Act for the purpose of refunding
14 bonds or notes issued pursuant to this act. The refunding bonds and notes may be
15 combined with any other issues of State bonds and notes similarly secured.

16 (f) Tax exemption. Bonds and notes and their transfer(including any profit
17 made on the sale thereof) shall be exempt from all State, county, and municipal taxation
18 or assessment, direct or indirect, general or special, whether imposed for the purpose of
19 general revenue or otherwise, excluding inheritance and gift taxes. The interest on
20 bonds and notes shall not be subject to taxation as to income, nor shall the bonds and
21 notes be subject to taxation when constituting a part of the surplus of any bank, trust
22 company, or other corporation.

23 (g) Investment eligibility. Bonds and notes are hereby made securities in
24 which all public officers, agencies, and public bodies of the State and its political
25 subdivisions, all insurance companies, trust companies, investment companies, banks,
26 savings banks, savings and loan associations, credit unions, pension or retirement funds,
27 other financial institutions engaged in business in the State, executors, administrators,
28 trustees, and other fiduciaries may properly and legally invest funds, including capital in
29 their control or belonging to them. Bonds and notes are hereby made securities which
30 may properly and legally be deposited with and received by any officer or agency of the
31 State or political subdivision of the State for any purpose for which the deposit of
32 bonds, notes, or obligations of the State or any political subdivision is now or may
33 hereafter be authorized by law.

34 (h) Faith and credit. The faith and credit and taxing power of the State are
35 hereby pledged for the payment of the principal of and the interest on bonds and notes.

36 Sec. 18. Variable Interest Rates. In fixing the details of bonds and notes, the
37 State Treasurer may provide that any of the bonds or notes may:

- 38 (1) Be made payable from time to time on demand or tender for purchase
39 by the owner thereof provided a credit facility supports the bonds or
40 notes, unless the State Treasurer specifically determines that a credit
41 facility is not required upon a finding and determination by the State
42 Treasurer that the absence of a credit facility will not materially or
43 adversely affect the financial position of the State and the marketing of
44 the bonds or notes at a reasonable interest cost to the State;

- 1 (2) Be additionally supported by a credit facility;
- 2 (3) Be made subject to redemption or a mandatory tender for purchase
- 3 prior to maturity;
- 4 (4) Bear interest at a rate or rates that may vary for such period or periods
- 5 of time, all as may be provided in the proceedings providing for the
- 6 issuance of the bonds or notes, including, without limitation, such
- 7 variations as may be permitted pursuant to a par formula; and
- 8 (5) Be made the subject of a remarketing agreement whereby an attempt is
- 9 made to remarket bonds or notes to new purchasers prior to their
- 10 presentment for payment to the provider of the credit facility or to the
- 11 State.

12 If the aggregate principal amount repayable by the State under a credit facility
13 is in excess of the aggregate principal amount of bonds or notes secured by the credit
14 facility, whether as a result of the inclusion in the credit facility of a provision for the
15 payment of interest for a limited period of time or the payment of a redemption
16 premium or for any other reason, then the amount of authorized but unissued bonds or
17 notes during the term of such credit facility shall not be less than the amount of such
18 excess, unless the payment of such excess is otherwise provided for by agreement of the
19 State executed by the State Treasurer.

20 Sec. 19. Interpretation of Act.

- 21 (a) Additional method. The foregoing sections of this act shall be deemed
- 22 to provide an additional and alternative method for the doing of the
- 23 things authorized thereby and shall be regarded as supplemental and
- 24 additional to powers conferred by other laws, and shall not be regarded
- 25 as in derogation of any powers now existing.
- 26 (b) References in this act to specific sections or Chapters of the General
- 27 Statutes are intended to be references to such sections as they may be
- 28 amended from time to time by the General Assembly.
- 29 (c) Liberal construction. This act, being necessary for the health and
- 30 welfare of the people of the State, shall be liberally construed to effect
- 31 the purposes thereof.
- 32 (d) Inconsistent provisions. Insofar as the provisions of this act are
- 33 inconsistent with the provisions of any general laws, or parts thereof,
- 34 the provisions of this act shall be controlling.
- 35 (e) Severability. If any provision of this act or the application thereof to
- 36 any person or circumstance is held invalid, such invalidity shall not
- 37 affect other provisions or applications of the act which can be given
- 38 effect without the invalid provision or application, and to this end the
- 39 provisions of this act are declared to be severable.

40 Sec. 20. This act is effective upon ratification.