

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 363

Short Title: Community College Fund Allocation.

(Public)

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Sponsors: Senators Winner, Odom, Perdue, Dannelly, Gulley, Warren, Soles, Ballantine, Sherron, and McKoy.

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Referred to: Appropriations

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March 13, 1995

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE  
2 HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE BONDS OR  
3 NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND  
4 NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. **Legislative authorization to issue bonds.** – In accordance with the  
8 requirements of Section 6(b)II of Chapter 542 of the 1993 Session Laws (the "Bond Act"  
9 ), the General Assembly hereby authorizes the issuance of twenty-three million nine  
10 hundred thousand dollars (\$23,900,000) of Community College Bonds authorized by the  
11 Bond Act and approved by the qualified voters of the State who voted thereon on the first  
12 Tuesday after the first Monday of November 1993. The proceeds of Community College  
13 Bonds and notes, including premium thereon, if any, except the proceeds of bonds the  
14 issuance of which has been anticipated by bond anticipation notes or the proceeds of  
15 refunding bonds or notes, shall be placed by the State Treasurer in a special fund to be  
16 designated "1995 Community College Bonds Fund" and shall be disbursed as provided in  
17 this act.

18 Sec. 2. **Appropriation of bond proceeds.** – In accordance with the  
19 requirements of Section 6(b)II of the Bond Act, the General Assembly hereby

1 appropriates the proceeds of the twenty-three million nine hundred thousand dollars  
 2 (\$23,900,000) of Community College Bonds and notes for specific projects as provided  
 3 in this act and subject to change as provided in this act. The proceeds of Community  
 4 College Bonds and notes shall be used for the purpose of making grants to community  
 5 colleges, as defined in Chapter 115D of the General Statutes, the proceeds of the grants to  
 6 be allocated and expended for paying the cost of Community College capital  
 7 improvements, including, without limitation, construction and renovation of classroom  
 8 buildings, laboratory buildings, research facilities, libraries, physical education facilities,  
 9 continuing education centers, student cafeteria and activity facilities, including sports  
 10 facilities, administrative office buildings, and related equipment and land acquisition.  
 11 The buildings constructed using the proceeds of the bonds may be constructed only after  
 12 consideration of the energy design guidelines developed by the Energy Division of the  
 13 Department of Commerce.

14 Any additional moneys which may be received by means of a grant or grants  
 15 from the United States of America or any agency or department thereof or from any other  
 16 source to aid in financing the cost of any Community College grants authorized by this  
 17 act may be placed by the State Treasurer in the 1995 Community College Bonds Fund or  
 18 in a separate account or fund and shall be disbursed, to the extent permitted by the terms  
 19 of the grant or grants, without regard to any limitations imposed by this act.

20 The proceeds of Community College Bonds and notes may be used with any  
 21 other moneys made available by the General Assembly for the making of Community  
 22 College grants, including the proceeds of any other State bond issues, whether heretofore  
 23 made available or which may be made available at the session of the General Assembly  
 24 at which this act is ratified or any subsequent sessions. The proceeds of Community  
 25 College Bonds and notes shall be expended and disbursed under the direction and  
 26 supervision of the Director of the Budget. The funds provided by this act for Community  
 27 College improvements shall be disbursed for the purposes provided in this act upon  
 28 warrants drawn on the State Treasurer by the State Controller, which warrants shall not  
 29 be drawn until requisition has been approved by the Director of the Budget and which  
 30 requisition shall be approved only after full compliance with the Executive Budget Act,  
 31 Article 1 of Chapter 143 of the General Statutes.

32 The State Board of Community Colleges shall provide quarterly reports to the  
 33 Joint Legislative Commission on Governmental Operations, the chairs of the Senate and  
 34 House of Representatives Appropriations Committees, and the Fiscal Research Division  
 35 on the expenditure of moneys from the 1995 Community College Bonds Fund.

36 **Sec. 3. Allocations of funds for specific projects.** – The proceeds of grants  
 37 made from the proceeds of twenty-three million nine hundred thousand dollars  
 38 (\$23,900,000) of Community College Bonds and notes shall be allocated and expended  
 39 for paying the cost of Community College capital improvements, to the extent and as  
 40 provided in this act and subject to change as provided in this act, as follows:

COLLEGE	CAPITAL IMPROVEMENTS	PROJECTED	ALLOCATION
41 Central Piedmont CC	42 Class/Lab/Office Bldg. -		

1		South Campus	\$ 2,500,000
2	Catawba Valley CC	Classroom/Lab Bldg.	2,500,000
3	Cape Fear CC	Classrooms/Labs	2,500,000
4	Watauga County Ctr.	Class/Lab Building Increase	2,500,000
5	Wake TCC	Tech. Science Bldg.	2,500,000
6	Halifax CC	Bus/Ind/Economic Develop.	
7		Ctr.	1,498,606
8	Coastal Carolina CC	Classroom Building	2,500,000
9	Warren Cty.	Renov./Land Acquisition	
10		Incr.	285,000
11	Craven CC	Classroom/Lab Building	2,500,000
12	Pitt CC	Industrial Construction Fac.	1,494,709
13	Vance-Granville CC	Day Care/Class/Off. Bldg.	
14		Incr.	1,165,000
15	Stanley CC	Classroom Bldg.	750,000
16	Brunswick CC	Recreational Grounds/	
17		Aquaculture Bldg.	1,206,685

18           Projected allocations set forth above may be adjusted to reflect the availability  
19 of other funds. The Board of Trustees of an individual community college may change  
20 the projects or allocations for that college, but not for a satellite campus, within the total  
21 amount of funds allocated for that college; the Board of Trustees may not, however,  
22 change, reduce, or eliminate a project or an allocation at a satellite campus of the  
23 community college.

24           The Director of the Budget is empowered, when the Director of the Budget  
25 determines it is in the best interest of the State and the North Carolina Community  
26 College System to do so, and if the cost of a particular project is less than the projected  
27 allocation, to use the excess funds to increase the size of that project or increase the size  
28 of any other project itemized in this section, or to increase the amount allocated to a  
29 particular community college within the aggregate amount of funds available under this  
30 section. The Director of the Budget may consult with the Advisory Budget Commission  
31 and the Joint Legislative Commission on Governmental Operations before making these  
32 changes. In addition, the particular capital improvements and the amount of the projected  
33 allocation therefor set forth above may be changed from time to time as the General  
34 Assembly may decide.

35           Nothing in this act restricts the right of the General Assembly, in addition to  
36 the right to specify the projects and the allocations therefor, in 1995 or at a subsequent  
37 session to:

- 38           (1) Establish a procedure whereby projected allocations set forth in
- 39                 subsequent legislation may be increased or decreased to reflect the
- 40                 availability of other funds, including, without limitation, contingency
- 41                 funds, income earned on the investment of bond and notes proceeds, and
- 42                 the proceeds of grants.

- 1           (2)    Establish a contingency account and provide for an allocation of bond  
2           proceeds thereto. The funds in the contingency account may be used to  
3           pay the cost of projects, the costs of issuance of bonds and notes, and  
4           increased project costs resulting from construction costs exceeding  
5           projections, inflationary factors, and changes in projects and allocations.  
6           The funds allocated to the contingency account shall be placed by the  
7           State Treasurer in a separate account in the Community College Bonds  
8           Fund and shall be disbursed in accordance with the procedures  
9           established for disbursements from the Community College Bonds  
10          Fund.
- 11          (3)    Empower the Director of the Budget, when the Director determines it is  
12          in the best interest of the State and the North Carolina Community  
13          College System to do so, and if the cost of a particular project is less  
14          than the projected allocation, to use the excess funds to increase the size  
15          of that project or increase the size of any other project authorized by the  
16          General Assembly.

17                Allocations to the costs of a capital improvement or undertaking in each case  
18    may include allocations to pay the costs set forth in Section 3(4)c., d., e., f., and g. of the  
19    Bond Act in connection with the issuance of bonds for that capital improvement or  
20    undertaking. The matching requirements of G.S. 115D-31(a)(1) apply to the proceeds of  
21    Community College Bonds and notes used to make grants to community colleges.

22                Sec. 4. **Effective date.** – This act becomes effective July 1, 1995.