

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 1202  
SENATE BILL 976

AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR  
STATE INSTITUTIONS, DEPARTMENTS, AND AGENCIES.

The General Assembly of North Carolina enacts:

**Section 1.** This act shall be known as "The Capital Improvement Appropriations Act of 1974."

**Sec. 2.** The appropriations made by this act are for the purpose of constructing buildings and utilities, the renovation of buildings and utilities, acquiring sites therefor where necessary, acquiring and installing equipment, and acquiring lands at the institutions, departments and agencies of the State hereinafter mentioned, as detailed in the 1974-75 Budget.

**Sec. 3.** The direct appropriations made by this act to provide for Capital Improvements under Sections 4, 5, and 6 of this act shall be disbursed for the purposes provided by this act upon warrants drawn by the State Disbursing Officer, which warrants shall not be drawn for any State institution, department, or agency until an allotment has been approved by the Director of the Budget, and which allotment shall be approved only after full compliance with the Executive Budget Act, Article I, Chapter 143, of the General Statutes. Any officer of this State or executive head of any institution, or any director, trustee, or commissioner of any State institution, department, or agency to which a direct or self-liquidating appropriation is made under the provisions of this act who votes for or aids in spending more money for any improvement for any institution, department, or agency than is appropriated therefor except as hereinafter provided, may be removed from office by the Governor. Any additional monies which may be received by means of a grant or grants from the United States of America or any agency or department thereof, or from any other source to aid in financing the cost of any of the improvements herein referred to may be placed by the State Treasurer in the same fund or in a separate fund and, to the extent permitted by terms of such grant or grants, with the approval of the Governor and the Advisory Budget Commission, shall be disbursed in the same manner and for the same purposes mentioned in this act, as detailed in the 1974-75 Budget. Appropriations for purchases of land in Section 4 of this act are consolidated into one appropriation to the Department of Administration. Prior to the execution of design or construction contracts in respect to projects to be financed in whole or in part with self-liquidating appropriations the Advisory Budget Commission shall approve the method of financing such projects. Where direct appropriations are provided in this act for the purpose of furnishing movable equipment for any project, such funds for equipment shall not be subject to transfer into construction accounts except as authorized by the Director of the Budget. However, fixed equipment funds so provided may be expended under construction accounts to the specific amount required for equipment attached to or connected to the building for which it is intended. It is the intent of this act that projects listed herein shall be completed, including fixed and movable equipment and furnishings, within the limits of the amounts of the direct or self-liquidating appropriations provided herein, except as hereinafter provided.

**Sec. 4.** There is hereby appropriated out of the General Fund the sum of ninety million two hundred twenty-six thousand three hundred thirty-seven dollars (\$90,226,337) for

the use of the State institutions, departments and agencies to provide for capital improvement projects according to the following schedule:

DEPARTMENT OF ADMINISTRATION \$36,505,000

- 1. New Office Building
  - No. 2 & Mall Development Building \$ 7,900,000
  - Movable Equipment 50,000
  - 7,950,000
  - Less 1973 Appropriation 300,000 \$ 7,650,000
- 2. Purchase of Land
  - State Parks 5,500,000
  - N. C. State Government Center 3,000,000 8,500,000
- 3. New Office Building
  - No. 3 & Mall Development Building 7,650,000
  - Fixed Equipment 300,000
  - Movable Equipment 50,000 8,000,000
- 4. Vehicular Parking Deck
  - Motor Pool Dispatching Center
    - Building 2,201,000
    - Fixed Equipment 80,000
    - Movable Equipment 23,000
    - 2,304,000
  - Less Self-Liquidating 1,600,000
  - Less 1973 Appropriation 125,000 579,000
- 5. State Office Building, Charlotte, Building & Land
  - Movable Equipment 23,000 2,660,000
- 6. State Office Building, Winston-Salem, Building & Land
  - Movable Equipment 17,000 1,896,000
- 7. Art Museum Supplement 2,250,000
- 8. Reserve for Capital Improvements 4,000,000
- 9. Archives-Library Annex Supplement 600,000
- 10. SBI Building (Planning) 70,000
- 11. Renovations and Repairs to State Buildings, Capitol Square 300,000

DEPARTMENT OF JUSTICE 1,000,000

- 1. Construction and Renovation, Criminal Justice Academy 1,000,000

DEPARTMENT OF AGRICULTURE 2,695,200

- 1. Village of Yesteryear,

State Fair Building		310,000	
2. Dairy Unit, Piedmont			
Research Station			
Building	210,000		
Fixed Equipment	<u>40,000</u>	250,000	
3. Addition Laboratory			
Building, Raleigh			
Building	120,000		
Movable Equipment	<u>5,000</u>		
	125,000		
Less Receipts	<u>93,750</u>	31,250	
4. Supplement Analytical			
Chemistry Laboratory,			
Raleigh		316,950	
5. Cooperative Greenhouse			
Facility		172,000	
6. Livestock Events			
Building, N.C. State			
Fairgrounds		1,500,000	
7. Western Diagnostic			
Laboratory Supplement		115,000	
8. Random Sample Poultry			
Facility	72,000		
Less Receipts	72,000	-0-	
9. Environmental Controlled			
Swine Nursery	30,000		
Less Receipts	30,000	-0-	
<b>DEPARTMENT OF CULTURAL</b>			
<b>RESOURCES</b>			
Division of Archives			
and History			
			98,300
1. Town Creek, Visitor			
Center			
Building	79,000		
Fixed Equipment	8,000		
Movable Equipment	<u>2,700</u>	89,700	
2. Town Creek, Addition			
to Residence		8,600	
<b>DEPARTMENT OF PUBLIC</b>			
<b>EDUCATION</b>			
Community Colleges			
			10,000,000
1. Community Colleges &			
Technical Institutes			
Total Projects	10,665,000		
Less Federal Funds	665,000	10,000,000	
<b>UNIVERSITY OF NORTH</b>			
<b>CAROLINA BOARD OF</b>			
<b>GOVERNORS</b>			
			7,536,000
1. Repairs & Replacements			
Project Supplements			
Compliance with Occupa-			

tional Safety & Health Act Maintenance Facilities Removal of Architectural Barriers Advance Planning		5,946,000	
2. N. C. Memorial Hospital			
Projects	2,090,000		
Less Receipts	<u>500,000</u>	1,590,000	
DEPARTMENT OF NATURAL & ECONOMIC RESOURCES			4,521,850
Division of State Parks			
1. Development of State Parks and Water Based Recreation Areas		3,000,000	
Division of Water & Air Resources			
1. Diking of Dredging Spoil Areas & Maintenance of Civil Works Projects		500,000	
Division of Forest Resources			
1. Forest Seedling Greenhouse Building	58,000		
Fixed Equipment	16,000		
Movable Equipment	<u>11,000</u>	85,000	
Division of Travel & Promotion			
1. Welcome Center on 1-77 Building	187,000		
Movable Equipment	11,000	198,000	
Kerr Reservoir Develop- ment Commission			138,750
1. Townsville Landing Development	277,500		
Less Federal Funds	<u>138,750</u>		
	138,750		
Air Transportation Service			
1. Airplane	598,000		
Less Receipts	<u>30,000</u>	568,000	
Division of Commercial & Sports Fisheries			
1. Airplane	40,100		
Less Receipts	<u>8,000</u>	32,100	
DEPARTMENT OF HUMAN RESOURCES			4,259,887
Department of Mental Health			

1. Community Mental Health Centers Facilities		3,000,000	
N. C. School for the Deaf			
1. Renovate Main Building			
Building	431,500		
Fixed Equipment	<u>3,500</u>	435,000	
Caswell Center			
1. Renovation Tapp Building Supplement		196,000	
O'Berry Center			
1. Elevator		35,000	
Cherry Hospital			
1. Laundry Supplement		593,887	
DEPARTMENT OF SOCIAL REHABILITATION & CONTROL			19,810,100
1. Reserve for Replacement for Confinement Facilities		15,000,000	
2. Vocational Training Facilities, 20 Locations Buildings		805,000	
3. Sewerage & Water Improvements		447,000	
4. Dormitory Renovations		175,500	
5. Kitchen & Dining Hall Renovations		280,000	
6. Renovate Bost Cottage, Morrison School		105,000	
7. Renovate Sewerage System Morrison School		30,000	
8. Resilient Floor Morrison School	40,000		
9. Extend Water Mains Morrison School		8,600	
10. Three Multi-Purpose Buildings Located at Harnett Youth Center, Caledonia & Odom		600,000	
11. Compound Fencing	58,500		
12. Renovate Hospital, Correctional Center for Women		13,000	
13. Renovate Central Heat in Dormitories		32,500	
14. Office Renovations		69,000	
15. Dormitory Reroofing		20,000	
16. Storage Building, Bladen Subsidiary		18,000	
17. Shop Building, Western Correctional Center		70,000	
18. Emergency Generators		36,000	

19. Mobile Classrooms, 20 Locations		280,000	
20. School & Administration Building, Juvenile Evaluation Center			
Building	1,542,000		
Fixed Equipment	30,000		
Movable Equipment	<u>70,000</u>	1,642,000	
21. Fencing – Western Carolina Center		80,000	
DEPARTMENT OF TRANSPORTATION AND HIGHWAY SAFETY			3,800,000
N. C. State Ports Authority			
1. Container Cranes		3,800,000	

**Sec. 5.** There is hereby appropriated out of the Highway Fund the sum of three hundred seventy thousand dollars (\$370,000) for the use of the Department of Transportation to provide for Capital Improvement projects according to the following schedule:

N. C. DEPARTMENT OF MOTOR VEHICLES			\$ 370,000
1. Supplement – Addition to Motor Vehicle Building, Raleigh		280,000	
2. Supplement – Office Building, Ahoskie		45,000	
3. Supplement – Office Building, Hendersonville		45,000	

**Sec. 6.** When each project appropriated for in Section 4 of this act, other than those projects under the University of North Carolina Board of Governors, is placed under construction contract, direct appropriations therefor shall be encumbered to include all costs for construction, design, investigation, administration, movable equipment and a reasonable contingency. Surplus direct appropriations remaining in the project budget after encumbering costs described above shall be placed in a Project Reserve Fund credited to the Department of Administration. Use of this Project Reserve Fund shall be at the discretion of the Director of the Budget, and solely to allow for award of contracts where bids exceed appropriated funds, on condition that such project supplemented shall have been designed within the physical scope intended by the applicable appropriation or any authorized change therein, and all means to award contracts within the appropriation shall have been reasonably attempted in the opinion of the Director of the Budget. The Project Reserve Fund shall not be used in connection with any projects under the University of North Carolina Board of Governors. At the discretion of the Advisory Budget Commission, any balances in the Project Reserve Fund shall revert to the original source.

**Sec. 7.** Upon the request of the department, agency or institution for which a capital improvement appropriation is herein made, the Governor with a majority vote of the membership of the Advisory Budget Commission is authorized and empowered to postpone any capital improvement project as provided in this act and upon a finding that the project cannot be carried out as originally intended by the General Assembly.

**Sec. 8.** The Advisory Budget Commission may, when in its opinion it is in the best interest of the State to do so, and upon the request of the department, institution, or agency, authorize an increase or a decrease in size, scope, direct or self -liquidating appropriation, of

any project or projects enumerated in this act within the funds available to that department, agency, or institution.

**Sec. 9.** The Director of the Budget and the Advisory Budget Commission may when, in their opinion, it is in the best interest of the State to do so and upon the request of the administration of any State agency or institution, authorize the construction of a capital improvement project not specifically provided for or authorized by the General Assembly when funds become available by gifts, grants or receipts.

**Sec. 10.** The Director of the Budget is authorized and empowered to advance from the land-purchase appropriations made in this act, funds necessary for purchase of recreational land for which there is either no specific appropriation or only a partial appropriation, when reimbursement of such advances will be later effected by the Federal Bureau of Outdoor Recreation.

**Sec. 11.** Any lump sum appropriated in Section 4 of this act shall be used for specific projects of capital improvements from time to time and in accordance with the priority needs of the respective agencies, and as approved by the Advisory Budget Commission.

**Sec. 12.** There is appropriated in Section 4 of this act a lump sum to the University of North Carolina Board of Governors. Expenditure of funds in this appropriation shall be in accordance with provisions of Chapter 1244 of the 1971 Session Laws, and provisions of this act except where specifically excluded.

**Sec. 13.** Subject to any transfers and changes between appropriations as permitted in previous sections of this act, the appropriations for capital improvements made in this act shall be expended only for specific projects set out in this act. Construction of all capital improvement projects enumerated in this act shall be commenced or self-liquidating indebtedness with respect thereto shall be incurred on or before December 31, 1975; if construction on such project or projects has not been commenced or self-liquidating indebtedness has not been incurred on or before December 31, 1975, then the direct appropriation for such project or projects shall revert to the original source, and the self-liquidating appropriation shall lapse; except that direct appropriations may be placed in the Project Reserve Fund; provided, however, that subject to the approval of the Governor and the Advisory Budget Commission this deadline with respect to both direct and self-liquidating appropriations may be extended when, in the discretion of the Governor and the Advisory Budget Commission, existing circumstances and conditions warrant such extension.

**Sec. 14.** Any unencumbered direct appropriation balances remaining in the capital improvement funds of 1973 appropriated for construction and equipment shall revert to the original source on December 31, 1974; provided that the Governor and Advisory Budget Commission may grant further extension for specific projects in such cases where conditions warrant.

**Sec. 15.** The several departments, institutions, and agencies of the State are fully authorized and empowered to make application or applications to any agency or agencies of the United States of America for grant-in-aid for the construction of the several projects in this act and within the scope and intent of the projects enumerated in this act and to expend the same in accordance with the terms of such grants which are not contrary to the laws of this State. The Advisory Budget Commission and the Department of Administration, in its pertinent divisions, shall be furnished in advance with copies of all requests for federal funds and this information shall be kept current.

**Sec. 16.** If reversions of 1973-74 maintenance appropriations exceed \$60,800,000 by \$1,789,000 or more, the appropriation made herein for an office building in Winston-Salem is transferred to the University of North Carolina Board of Governors for the North Carolina School of the Arts, and \$1,789,000 of the reversions is added to that appropriation to build a core teaching facility at the School of the Arts in the amount of \$3,685,000.

**Sec. 17.** There is appropriated under Section 4 of this act to the Department of Administration the sum of four million dollars (\$4,000,000) as a Reserve for Capital Improvements Cost Increases to supplement previously appropriated construction projects authorized by the General Assembly. This reserve may be used at the discretion of the Director of the Budget solely to allow for award of contracts where bids exceed appropriated funds, on the condition that such supplemented projects shall have been designed within the physical scope intended by the applicable appropriation or any authorized changes therein, and all means to award contracts within the appropriation shall have been reasonably attempted in the opinion of the Director of the Budget.

**Sec. 18.** It is the intent of this General Assembly that, of the appropriations enumerated above in this act, the items below are to be financed from the General Revenue Sharing Trust Fund of the State, and that all the provisions of this act which are applicable to the remaining items are also applicable to those funded from the General Revenue Sharing Trust Fund of the State, to the end of providing maximum flexibility for the expenditure of the appropriations made herein consistent with federal regulations governing expenditure of general shared federal revenue.

**DEPARTMENT OF ADMINISTRATION**

Office Building No. 2	\$ 7,650,000
Purchase of Land, Raleigh Area and Parks	8,333,913
Office Building No. 3	8,000,000
Office Building, Charlotte	2,660,000
Office Building, Winston-Salem	1,896,000
Art Museum Supplement	2,250,000
Archives - Library Annex Supplement	600,000

**DEPARTMENT OF TRANSPORTATION AND HIGHWAY**

North Carolina State Ports Authority	3,800,000
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**DEPARTMENT OF AGRICULTURE** 2,695,200

**DEPARTMENT OF HUMAN RESOURCES**

N. C. School for the Deaf	435,000
Caswell Center	196,000
Cherry Hospital	593,887

**DEPARTMENT OF SOCIAL REHABILITATION AND CONTROL**

Office of Correction	
Reserve for Replacement of Confinement Facilities	15,000,000
Three Multi-Purpose Buildings	600,000
Mobile Classrooms	280,000
School and Administration Building	1,642,000

DEPARTMENT OF NATURAL AND  
ECONOMIC RESOURCES

Purchase of Airplane

568,000

\$ 57,200,000

**Sec. 19.** This act shall become effective July 1, 1974.In the General Assembly read three times and ratified, this the 8th day of April,  
1974.