

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 681
SENATE BILL 17

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

The General Assembly of North Carolina enacts:

—TITLE/PURPOSES

Section 1. This act shall be known as "The Capital Improvement Appropriations Act of 1977".

Sec. 2. The appropriations made by this act are for constructing or renovating State buildings, utilities, and other capital facilities; acquiring sites therefor where necessary; and acquiring buildings and land for State government purposes.

—PROCEDURES FOR DISBURSEMENTS

Sec. 3. The appropriations made by Sections 4 and 5 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 department, institution, 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. Prior to the award of construction contracts for projects to be financed in whole or in part with self-liquidating appropriations, the Governor and the Advisory Budget Commission shall approve the elements of the method of financing of such projects including the source of funds, interest rate, and liquidation period.

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.

Projects listed in this act shall be completed, including fixed and movable equipment and furnishings, within the limits of the amounts of the direct or self-liquidating appropriations provided, except as otherwise provided in the act.

—GENERAL FUND APPROPRIATIONS/SCHEDULE OF CAPITAL IMPROVEMENTS

Sec. 4. There is appropriated out of the General Fund the sum of thirty million three hundred thirty-nine thousand six hundred twenty-six dollars (\$30,339,626) effective July 1, 1977, and thirty-one million nine hundred eighty thousand dollars (\$31,980,000) effective July 1, 1978, for use by the State departments, institutions, and agencies to provide for capital improvement projects according to the following schedule:

<u>Capital Improvements — General Fund</u>	<u>1977-78</u>	<u>1978-79</u>
GENERAL ASSEMBLY (TOTAL)	\$ 50,000	\$
01. Renovation of Elevators	50,000	
DEPARTMENT OF ADMINISTRATION		
(TOTAL)	1,353,000	850,000
01. Completion of Capitol Restoration	55,000	
02. Completion of Governor's Mansion Renovation	100,000	
03. Repairs and Alterations to		

State Buildings in the State Government Center	100,000	100,000
04. Greenhouse - General Services	6,000	
05. Renovation of Old Health Building	122,000	
06. Two new elevators for Justice Building		100,000
07. Architectural Barrier Removal - State Government Center	120,000	
08. Land Acquisition - State Government Center	100,000	150,000
09. Parking Deck-State Government Center	2,000,000	
Less receipts - Self-liquidating General Fund	2,000,000	
	-0-	
10. Reserve for Advance Planning of Capital Projects	250,000	
11. Land Acquisition - State Parks	1,000,000	1,000,000
Less receipts - Federal BOR General Fund	500,000	500,000
	500,000	500,000
DEPARTMENT OF AGRICULTURE (TOTAL)	1,375,000	450,000
01. Western Farmers Market	10,000	
02. Farm shops, office, and equipment shed - Umstead Farm	75,000	
03. Renovation of Three Laying Houses	100,000	
04. Bulk Tobacco Curing and Handling Facilities - Border Belt Research Station	40,000	
05. Reserve for capital construction - Western Farmers Market	500,000	
06. Reserve for repairs to Dorton Arena	200,000	450,000
07. Reroof wholesale sheds - Raleigh Farmers Market	225,000	
08. Reserve for Cherokee Farmers Market	200,000	
09. Reserve for Handicrafts Museum - Haywood Technical Institute	25,000	
BOARD OF GOVERNORS - THE UNIVERSITY OF NORTH CAROLINA (TOTAL)	9,540,000	
01. Bed Tower for East Carolina University Medical School Complex	3,820,000	
02. OSHA Compliance		

Architectural Barrier		
Removal; Renovation and construction		
of Capital Facilities	3,000,000	
03. Utilities and Site		
Improvements at Memorial		
Hospital	720,000	
04. Reserve for capital construction - NCSU		
Veterinary School	2,000,000	
COMMUNITY COLLEGES (TOTAL)	1,000,000	1,000,000
01. Reserve for capital construction	1,222,932	1,222,932
Less receipts - Federal		
Funds	222,932	222,932
General Fund	1,000,000	1,000,000
DEPARTMENT OF CORRECTION (TOTAL)	4,750,000	24,900,000
01 .Replacement of Central		
Prison - Phase I	850,000	16,150,000
02. Reserve for Repairs and		
Renovations at Existing		
Facilities	1,000,000	
03. Reserve for Prison		
Construction	2,900,000	8,750,000
DEPARTMENT OF JUSTICE (TOTAL)	456,376	
01. Renovation funds for the SBI facilities at		
Garner Road campus	456,376	
DEPARTMENT OF CULTURAL RESOURCES		
(TOTAL)	200,000	200,000
01. Reserve for Capital		
Improvements at Historic Sites	200,000	200,000
DEPARTMENT OF HUMAN RESOURCES		
(TOTAL)	3,575,000	1,000,000
01. Reserve for Correction of		
Code Deficiencies	1,000,000	1,000,000
02. North Carolina School for the Deaf		
a. Upgrade Heating Controls		
and Repair Smokestack	230,000	
b. Resurface roads	100,000	
03. Eastern North Carolina		
School for the Deaf		
a. Resurface road	65,000	
04. Governor Morehead School		
a. Reroofing	50,000	
b. Repair Gym Dressing Room	10,000	
c. Repipe Steam and Condensate		
Lines	75,000	
05. Eastern North Carolina		
Hospital		
a. Reroof Spruill Wing	28,000	
06. Cherry Hospital		
a. Renovate McFarland		
Building	495,000	
07. John Umstead Hospital		

a. Secondary clarifier for Sewage Disposal System	345,000	
08. Broughton Hospital a. Resurface roads	95,000	
09. Murdoch Center a. Boiler Insulation	85,000	
10. Reserve for Reroofing at Broughton, Dorothea Dix and John Umstead Hospitals	250,000	
11. Reserve for Reroofing at Murdoch, O'Berry, and Western Carolina Centers	740,000	
12. Cumberland County Regional Detention Center— Fencing, Lighting	7,000	
DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY (TOTAL)		
	332,250	130,000
01. New Armory, Morganton Less receipts - Local Funds	425,000	53,125
Less receipts - Federal Funds	318,750	53,125
General Fund	419,250	69,875
02. New Armory, Gastonia Less receipts - Local Funds	559,000	69,875
Less receipts - Federal Funds	487,500	81,250
General Fund	292,500	48,750
03. New Armory, Reidsville/Eden Less receipts - Local Funds	650,000	81,250
Less receipts - Federal Funds	45,000	15,000
General Fund	419,250	69,875
04. New Armory, Edenton Less receipts - Local Funds	390,000	48,750
Less receipts - Federal Funds	45,000	15,000
General Fund	419,250	69,875
05. Armory Additions, Ahoskie Less receipts - Federal Funds	60,000	45,000
General Fund	45,000	15,000
06. Armory Addition, Asheville Less receipts - Federal Funds	90,000	67,500
General Fund	22,500	22,500
07. New Armory, Raeford Less receipts - Local Funds	559,000	69,875
Less receipts - Federal Funds	419,250	69,875
General Fund	425,000	53,125
08. New Armory, Albemarle Less receipts - Local Funds	318,750	318,750
Less receipts - Federal Funds		

General Fund	53,125	
09. New Armory, Scotland Neck	390,000	
Less receipts - Local Funds	48,750	
Less receipts - Federal Funds	292,500	
General Fund	48,750	
DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES (TOTAL)	5,420,000	2,750,000
01. Division of Environmental Management		
a. Reserve for Civil Works Projects		
(01) Reserve for civil works	320,000	750,000
(02) Reserve for Wanchese Harbor	500,000	500,000
(03) Watershed projects - Chicod Creek and Swift Creek	500,000	300,000
02. Division of Parks and Recreation		
a. Reserve for Capital Improvements at State Parks and Water-Based Recreation Areas	1,200,000	1,200,000
b. Continuation of Phase I Development - North Carolina Zoological Park	2,900,000	
DEPARTMENT OF COMMERCE (TOTAL)	2,288,000	700,000
01. State Ports Authority		
a. Reserve for capital construction	2,265,000	700,000
02. Division of Economic Development		
a. Reroof Science & Technology Building	23,000	
GRAND TOTAL - GENERAL FUND		
APPROPRIATION	\$30,339,626	\$31,980,000
—HIGHWAY FUND APPROPRIATIONS/SCHEDULE OF CAPITAL IMPROVEMENTS		
Sec. 5. There is hereby appropriated out of the Highway Fund the sum of one million six hundred twenty-five thousand six hundred dollars (\$1,625,600) effective July 1, 1977, and one million one hundred thousand six hundred dollars (\$1,100,600) effective July 1, 1978, for the use of the Departments of Transportation and Crime Control and Public Safety to provide for capital improvement projects according to the following schedule:		
<u>Capital Improvements - Highway Fund</u>	<u>1977-78</u>	<u>1978-79</u>
DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY (TOTAL)	\$ 575,600	\$ 300,600
01. Division of Highway Patrol		
a. Renovation to support housing services at the Governor Morehead School		
Garner Road campus	435,600	300,600
b. To move transmitters to Archdale Building	35,000	
c. Communications center for Troop G - Asheville	-105,000	
DEPARTMENT OF TRANSPORTATION		

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(TOTAL)	1,050,000	800,000
01. Division of Highways		
a. Reserve for Capital Improvement Projects	200,000	300,000
b. Reserve for renovation at Marine Repair Facility	500,000	500,000
02. General Administration		
a. Renovation of space to house a consolidated computer operation	350,000	
GRAND TOTAL - HIGHWAY FUND		
APPROPRIATION	\$ 1,625,600	\$1,100,600

—FEDERAL REVENUE SHARING/CAPITAL APPROPRIATION

Sec. 5.5. To the end of providing maximum flexibility for the expenditure of appropriations consistent with federal regulations governing expenditure of general shared federal revenue, the items below, which are elements of 1977-79 Capital Improvement Appropriations to the indicated departments as enumerated in Section 4 of this act, are to be financed from the General Revenue Sharing Trust Fund of the State:

<u>Capital Improvements</u>	<u>1977-78</u>	<u>1978-79</u>
Administration		
01. Completion of Capitol Restoration	55,000	
02. Completion of Mansion Restoration	100,000	
03. Old Health Building Renovation	122,000	
04. Elevators - Justice Building		100,000
05. Land Acquisition - Government Center	100,000	150,000
06. Land Acquisition - State Parks	500,000	500,000
07. Access for Handicapped	<u>120 000</u>	
	Sub-Total	997,000
		<u>750,000</u>
Agriculture		
01. Western Farmers Market	510,000	
02. Cherokee Farmers Market	200,000	
03. Farm Shop - Umstead	75,000	
04. Bulk Tobacco Barns	40,000	
05. Poultry Laying Houses	100,000	
06. Repairs to Dorton Arena	200,000	450,000
07. Repairs to Farmers Market	225,000	
08. Handicraft Museum	<u>25,000</u>	
	Sub-Total	1,375,000
		<u>450,000</u>
Board of Governors		
01. Renovations, Maintenance & Utility Projects, OSHA, & Architectural Barrier Removal	3,000,000	
02. Memorial Hospital - Utility & Site Improvements	720,000	
03. Reserve for Vet School	2,000,000	
04. East Carolina University - Bed Tower	<u>3,820,000</u>	
	Sub-Total	9,540,000
		<u>-0-</u>
Correction		
01. Central Prison Replacement, Phase I	850,000	16,150,000
02. New Single Cell Construction	<u>2,900,000</u>	<u>8,750,000</u>
	Sub-Total	3,750,000
		24,900,000

Cultural Resources

01. Capital Reserve for Historic Sites	<u>200,000</u>	<u>200,000</u>
Sub-Total	200,000	200,000

Crime Control & Public Safety

01. Armories	<u>332,250</u>	<u>130,000</u>
Sub-Total	332,250	130,000

Commerce

01. Reserve for State Ports	<u>2,265,000</u>	<u>700,000</u>
Sub-Total	2,265,000	700,000

Human Resources

01. Code Deficiencies Reserve	1,000,000	1,000,000
02. Reroofing, Mental Hospitals	250,000	
03. Reroofing, Mental Retardation Centers	740,000	
04. Road Repair, Broughton	95,000	
05. Sewage System, Butner	345,000	
06. Boiler Insulation, Murdoch	85,000	
07. McFarland Building Renovation-Cherry	495,000	
08. Heating Controls-N.C. School for Deaf	230,000	
09. Road Repair-Eastern School for Deaf	65,000	
10. Reroofing-Eastern North Carolina Hospital	28,000	
11. Road Repair-N. C. School for Deaf	100,000	
12. Reroofing-Governor Morehead	50,000	
13. Repair Gym Dressing Room-Governor Morehead	10,000	
14. Repipe Steam Lines-Governor Morehead	<u>75,000</u>	
Sub-Total	3,568,000	1,000,000

Justice

01. Renovation of Garner Road Facility	<u>456,376</u>	
Sub-Total	456,376	-0-

Natural Resources & Community Development

01. State Parks Capital Reserve	1,200,000	1,200,000
02. Reserve for Zoo	<u>2,900,000</u>	
Sub-Total	<u>4,100,000</u>	<u>1,200,000</u>

GRAND TOTAL - REV. SHAR./CAPITAL \$26,583,626 \$29,330,000

—ENCUMBERED APPROPRIATIONS AND PROJECT RESERVE FUND

Sec. 6. When each project appropriated in Section 4 of this act, other than those projects under the Department of Community Colleges and 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. Unencumbered direct appropriations remaining in the project budget 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 solely to allow for award of contracts where bids exceed appropriated funds, on condition that such projects supplemented shall have been designed within the physical scope intended by the applicable appropriation or any authorized change therein, and in the opinion of the Director of the Budget all means to award contracts within the appropriation shall have been reasonably attempted. The project reserve fund shall not be used in connection with any projects under The University of North Carolina Board of Governors or

the Department of Community Colleges. At the discretion of the Governor and the Advisory Budget Commission any balances in the project reserve fund shall revert to the original source.

—UNC BOARD OF GOVERNORS AND OTHER LUMP SUM APPROPRIATIONS

Sec. 7. 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 the provisions of G.S. 116-11(9)a and G.S. 116-11(9)b, and this act, except where specifically excluded. Other lump sums appropriated in Sections 4 or 5 of this act shall be used for specific capital improvement projects in accordance with the priority needs of the respective agencies and as approved by the Governor and the Advisory Budget Commission, and any funds remaining in a project account following encumbrance of all construction and equipment costs and reasonable contingency shall revert to the respective reserve.

—GOVERNOR AND ABC/POSTPONEMENT OF PROJECTS

Sec. 8. Upon the request of a department, institution, or agency for which a capital improvement appropriation is made in this act, the Governor and the Advisory Budget Commission are authorized and empowered to postpone any capital improvement project as provided in this act upon finding that the project cannot be carried out as originally intended by the General Assembly.

—ADVISORY BUDGET COMMISSION /APPROPRIATION MODIFICATIONS

Sec. 9. 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 pertinent department, agency, or institution, authorize an increase or decrease in size and scope of a direct or self-liquidating capital appropriation. Changes to a project or projects enumerated in this act may come from gifts, grants, federal receipts other than patient receipts, special fund receipts, or, from within the funds appropriated in this act to that department, agency, or institution.

—GOVERNOR AND ADVISORY BUDGET COMMISSION /NEW PROJECTS

Sec. 10. The Governor 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 a department, institution, or agency, authorize the construction of a capital improvement project not specifically provided for or authorized by the General Assembly. Funds which become available by gifts, grants, federal receipts other than patient receipts or receipts becoming a part of special funds by act of the General Assembly may be used for this purpose. No funds appropriated under this act for a specific capital improvement shall be used or expended for any capital improvement not specifically provided for or authorized by the General Assembly.

—RECREATIONAL LAND ADVANCES/REIMBURSEMENT

Sec. 11. 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 assured gifts or grants.

—COMMUNITY COLLEGES/MOVABLE EQUIPMENT

Sec. 12. No construction contracts for capital improvements within the Department of Community Colleges shall be let until it has been clearly established that funds are available for related movable equipment.

—ADVANCE PLANNING RESERVE/DEPARTMENT OF ADMINISTRATION

Sec. 13. There is appropriated in Section 4 of this act to the Department of Administration the sum of two hundred fifty thousand dollars (\$250,000) in fiscal year 1977-78 as a reserve for the advance planning of capital projects and the preparation of program cost estimates on high priority capital projects. This reserve may be used as requested by a department and as approved by the Governor and the Advisory Budget Commission.

Advance planning shall be generally limited to the schematic design phase and in no case shall advance design proceed beyond the design development phase.

This reserve shall not be utilized in connection with projects under the Board of Governors of The University of North Carolina or the Department of Community Colleges.

All amounts provided from the reserve shall be repaid to the reserve at such time as final design and construction monies become available.

Sec. 14. (deleted)

—APPROPRIATIONS LIMITS/REVERSION OR LAPSE

Sec. 15. 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. Construction of all capital improvement projects enumerated in this act shall be commenced or self-liquidating indebtedness with respect thereto shall be incurred within 18 months following the first day of the fiscal year in which the funds are available. If construction contracts on such project or projects have not been awarded or self-liquidating indebtedness has not been incurred within that period, 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 this deadline with respect to both direct and self-liquidating appropriations may be extended with the approval of the Governor and the Advisory Budget Commission when, in their discretion, existing circumstances and conditions warrant such extension.

—EFFECTIVE DATE

Sec. 16. This act shall become effective July 1, 1977.

In the General Assembly read three times and ratified, this the 22nd day of June, 1977.