

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 724
HOUSE BILL 1475

AN ACT TO AMEND CHAPTER 6, PRIVATE LAWS OF NORTH CAROLINA
1840-1841, AS AMENDED, PERTAINING TO THE CONSTRUCTION,
OPERATION AND FINANCING OF HOSPITAL FACILITIES BY TRUSTEES
OF THE REX HOSPITAL, RALEIGH, NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. Chapter 6, Private Laws of North Carolina 1840-1841, as amended by Chapter 53, Public-Local and Private Laws of North Carolina 1935, as amended by Chapter 98, Public-Local Laws of North Carolina 1939, as amended by Chapter 361 of Session Laws of 1973, and as amended by Chapter 1268 of Session Laws of 1973 (2nd Session 1974) is hereby amended by adding a new Section V to read as follows:

"V. As an additional and alternative method of carrying out and effectuating their corporate purposes, the trustees are authorized to operate and maintain health care facilities financed by bonds or notes issued by the North Carolina Medical Care Commission pursuant to the provisions of the Health Care Facilities Finance Act in Chapter 131A of the General Statutes of North Carolina, as may be amended from time to time, and are empowered to do and undertake all acts and things necessary to carry out and comply with the provisions of said act, including but without limiting the generality of the foregoing, the power:

(1) To acquire by purchase, lease, gift or otherwise property, real or personal, improved or unimproved, and convey the same to the North Carolina Medical Care Commission by sale, lease or otherwise for the purpose of constructing and financing health care facilities under the provisions of said act.

(2) To enter into contracts and agreements, including agreements of sale or lease, with the North Carolina Medical Care Commission pursuant to the provisions of Section 131A-8 of said act providing for the operation, repair and maintenance by the trustees of health care facilities, and providing for the payment by the trustees of purchase price payments or rent payments in an amount sufficient to pay all of the interest, principal and any redemption premium on bonds or notes issued by the North Carolina Medical Care Commission to pay the cost of the health care facilities sold or leased to the trustees, and all other costs incurred by the North Carolina Medical Care Commission in connection with the providing of the health care facilities so sold or leased, except such costs as may be paid out of the proceeds of bonds or notes or otherwise, including, but without limitation, insurance costs, the cost of administering the resolution authorizing

the issuance of, or any trust agreement securing, such bonds or notes and the fees and expenses of trustees, paying agents, attorneys, consultants and others.

(3) To enter into contracts and agreements with the North Carolina Medical Care Commission pursuant to Section 131A-9 of said act to facilitate the construction of medical care facilities, including an agreement to act as agents of, or an independent contractor for, the North Carolina Medical Care Commission for the performance of the functions described therein, including the acquisition of the site and other real property for such health care facilities, the preparation of plans, specifications and contract documents, the award of construction and other contracts upon a competitive or negotiated basis, the construction of such health care facilities directly by the trustees, the inspection and supervision of construction, the employment of engineers, architects, builders and other contractors and the provision of money to pay the costs thereof pending reimbursement by the North Carolina Medical Care Commission."

Sec. 2. Insofar as the provisions of this act are inconsistent with the provisions of any general or special laws, or parts thereof, the provisions of this act shall be controlling.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 24th day of June, 1977.