

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**SENATE BILL 1892*
Finance Committee Substitute Adopted 6/15/06
Third Edition Engrossed 7/10/06**

Short Title: Special Indebtedness Projects.

(Public)

Sponsors:

Referred to:

May 25, 2006

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO
2 FINANCE THE CAPITAL FACILITIES COSTS OF A PURCHASE OF LAND
3 BY THE WILDLIFE RESOURCES COMMISSION AND TO FINANCE THE
4 CAPITAL FACILITY COSTS OF STALL BARNs AT THE SENATOR BOB
5 MARTIN EASTERN AGRICULTURAL CENTER AND TO ALLOW
6 REGIONAL COUNCILS OF GOVERNMENT TO FINANCE REAL PROPERTY
7 IMPROVEMENTS.
8

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** In accordance with G.S. 142-83, this section authorizes the
11 issuance or incurrence of special indebtedness in the maximum aggregate principal
12 amount of twenty million dollars (\$20,000,000) to finance the costs of purchasing land
13 to be administered by the Wildlife Resources Commission as State game lands. The
14 State, with the prior approval of the State Treasurer and the Council of State, as
15 provided in Article 9 of Chapter 142 of the General Statutes, is authorized to issue or
16 incur special indebtedness in order to provide funds to the State to be used, together
17 with other available funds, to pay the costs of purchasing the land described in this
18 section.

19 **SECTION 2.** In accordance with G.S. 142-83, this section authorizes the
20 issuance or incurrence of special indebtedness in the maximum aggregate principal
21 amount of three million three hundred thousand dollars (\$3,300,000) to finance the
22 capital facility costs of two stall barns at the Senator Bob Martin Eastern Agricultural
23 Center. The State, with the prior approval of the State Treasurer and the Council of
24 State, as provided in Article 9 of Chapter 142 of the General Statutes, is authorized to
25 issue or incur special indebtedness in order to provide funds to the State to be used,
26 together with other available funds, to pay the capital facility costs of the project
27 described in this section.

28 **SECTION 3.** G.S. 143-64.05 reads as rewritten:

1 **"§ 143-64.05. Definitions. Service charge; receipts.**

2 (a) The State agency for surplus property may assess and collect a service charge
3 for the acquisition, receipt, warehousing, distribution, or transfer of any State surplus
4 property and for the transfer or sale of recyclable material. The service charge
5 authorized by this subsection does not apply to the transfer or sale of timber on land
6 owned by the Wildlife Resources Commission.

7 (b) All receipts from the transfer or sale of surplus, obsolete, or unused
8 equipment of State departments, institutions, and agencies that are supported by
9 appropriations from the General Fund, except where the receipts have been anticipated
10 for or budgeted against the cost of replacements, shall be credited by the Secretary to
11 the Office of State Treasurer as nontax revenue.

12 (c) A department, institution, or agency may retain receipts derived from the
13 transfer or sale of recyclable material, less any charge collected pursuant to subsection
14 (a) of this section, and may use the receipts to defray the costs of its recycling activities.
15 A contract for the transfer or sale of recyclable material to which a department,
16 institution, or agency is a party shall not become effective until the contract is approved
17 by the Secretary of Administration. The Secretary of Administration shall adopt rules
18 governing the transfer or sale of recyclable material by a department, institution, or
19 agency and specifying the conditions and procedures under which a department,
20 institution, or agency may retain the receipts derived from the transfer or sale, including
21 the appropriate allocation of receipts when more than one department, institution, or
22 agency is involved in a recycling activity."

23 **SECTION 3.1.** G.S. 160A-475(7a) reads as rewritten:

24 "The charter may confer on the regional council any of the following powers:

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26 (7a) For the purpose of meeting the regional council's office space and
27 program needs, to acquire real property by purchase, gift, or otherwise,
28 and to improve that property. The regional council may pledge real
29 property as security for an indebtedness used to finance acquisition of
30 that property or for improvements to that real property. A regional
31 council may not exercise the power of eminent domain.

32"

33 **SECTION 3.2.** G.S. 153A-395 is amended by adding a new subdivision to

34 read:

35 "A regional planning commission may:

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37 (9a) For the purpose of meeting its office space and program needs, acquire
38 real property by purchase, gift, or otherwise, to improve that property.
39 It may pledge real property as security for an indebtedness used to
40 finance acquisition of that property or for improvements to that real
41 property. It may not exercise the power of eminent domain in
42 exercising the powers granted by this subdivision."

43 **SECTION 4.** This act is effective when it becomes law.