

APPENDIX W

2005 Board of Governors  
Non-Budget Legislative Initiatives

**HIGHEST PRIORITY**

Finance

1 Bond Project Modifications  
Campus Requests

The following projects listed in Chapter 3 of the 2000 Session Laws and authorized by voter referendum in November 2000 have been recommended for scope modifications by the campuses. These suggested changes are consistent with the initial intent of the listed projects. However, these alterations are due to changed conditions or discovery of a more efficient means to accomplish the same end result.

1a) North Carolina Central University. Cancellation of Latham Residence Hall – Comprehensive Renovation (\$3,422,600) and transfer of residual funds to Eagleson Residence Hall – Comprehensive Renovation.

1b) Elizabeth City State University. Change scope of Mitchell-Lewis Residence Hall – Comprehensive Renovation (\$2,123,700) to a replacement project.

1c) University of North Carolina at Wilmington. Cancellation of King Hall Classroom Building – Comprehensive Renovation (\$3,527,400) and transfer of residual funds to the following projects: General Classroom Building, Academic and Classroom Facilities, Hinton James Hall Classroom Building – Comprehensive Renovation, Kenan Auditorium – Comprehensive Renovation, Friday Hall Laboratory Building – Comprehensive Renovation.

1d) University of North Carolina at Pembroke. Cancellation of West Residence Hall – Comprehensive Renovation (\$977,300) and transfer and transfer of residual funds to a new project, North and Belk Residence Halls – Fire Safety Improvements and Renovations.

1e) University of North Carolina at Pembroke. Cancellation of Campuswide Infrastructure Improvements (\$1,996,600) and transfer of residual funds to a new project, Biotechnology Teaching Labs and Classroom Building.

1f) Western Carolina University. Cancellation of Killian Education and Allied Professions Building and transfer of residual funds in the amount of \$1,297,924 to the Stillwell Lab Building – Comprehensive Renovation.

1g) Western Carolina University. Cancellation of Old Student Health Center to residential and Academic Space. Residual savings in the amount of \$1,496,945 will be allocated to Stillwell Lab Building – Comprehensive Renovation.

1h) University of North Carolina at Chapel Hill Proposed Scope Revision: After comprehensive programming and concept design, the University has proposed reprogramming the building project. In lieu of providing space for the relocation of the Music Library immediately, the new building will house the Department of Music. This will allow for the future renovation of Hill Hall for the Music Library. The Music Library has been temporarily relocated to Wilson Library.

2 Enrollment Funding

Place Enrollment Funding in the Continuation budget.

3 Special Obligation Bonds For  
Acquisition of Equipment and  
Renovation or Repair of Existing  
Facilities

Amend GS 116 and GS 116D to provide low-cost financing for major equipment purchases and repairs and renovations to facilities for smaller-scale projects that are not considered to be Capital Improvement projects or determine an alternative method to make this type of financing available for this purpose.

- |   |   |   |
|---|---|---|
| 4 | Lead-Time For Acquisition Of Real Property  | The acquisition of real property valued \$25,000 or greater by the UNC System requires approval by the respective Board of Trustees, UNC Board of Governors, Joint Commission on Governmental Operations (Gov. Ops) and the Council of State. However, only Gov. Ops does not have a regular, year round meeting time thereby creating delays. It is recommended that GS 146-22 be rewritten in a manner requiring the purchase of land be reported to Gov. Ops thirty (30) days prior to the sale. |
| 5 | State Land and Municipal Review   | Amend or repeal G.S. 160A-392 where state land was added as being subject to municipal review and control.  |
| 6 | Retain Proceeds from Sale of Chancellor's Residence                               | Retain the proceeds from the sale of the existing chancellor's residence at UNCA and appurtenant land and use those proceeds to construct or otherwise acquire a new chancellor's residence.  |
| 7 | Remove Limitation on Budgeting Tuition and Other Receipts Above Authorized Levels | Amend the Executive Budget Act (G.S. 143) so that the President will present to the General Assembly an updated estimate of tuition, fees, and other receipts by June 15 of each year to be included in the budget for the following fiscal year.   |
| 8 | Distinguished Professors Endowment Trust Fund                                     | Increase the maximum level of Distinguished Professorships up to \$3 million; the current maximum of \$1 million has not been increased since the program was established in 1985. The matching ratio of private funds to state funds remains the same, one-to-one for the focused growth and special needs institutions and two-to-one for all other constituent institutions.   |

### Management & Administration

- |   |   |   |
|---|---|---|
| 9 | Abolish Pre-approved Consultant Contracts | Abolish the requirement for the University of North Carolina to have consultant contracts pre-approved by the Governor or his designee. |
|---|---|---|

### Academic Affairs

- |    |  |  |
|----|--|--|
| 10 | Need-based Nursing Scholarship Loan Program                  | Permit the State Education Assistance Authority to administer the Need-based Nursing Scholarship Loan Program consistent with the process by which it administers other need-based scholarship loans established under State law.  |
| 11 | Teacher Tuition Benefit Simplification                       | Encourage legislative action to simplify the teacher tuition benefit so that lateral entry teachers can efficiently and expeditiously qualify for in-state tuition rates in the UNC system.<br><i>(Recommendation of the BOG Teacher Supply &amp; Demand Task Force)</i> |
| 12 | Legislative Reports / School Administrator Training Programs | Remove the legislative report on the establishment of a competitive proposal process for School Administrator Training Programs due to duplication.  |
| 13 | Contributions To Parental Savings Trust Fund Tax Deductible. | Amend GS 105-134.6 & GS 116-209.25 to allow taxpayers who make contributions to the Parental Savings Trust Fund to deduct all, or a portion of, their total contributions in calculating NC taxable income for any given tax year beginning in 2005.                     |
| 14 | Academic Common Market                                       | Authorize the continuation of the Academic Common Market   |

Program.

- 15 NCSSM Tuition Grant Amend G.S. 116-238.1 (f) so that the Tuition Grant be restricted only if the student receives grant or scholarship assistance which exceeds the total cost of attendance, not just tuition.

## Human Resources / Legal

- 16 Umstead Act Revisions Amend the Umstead Act to enable UNC to utilize its resources to further its mission and benefit the community by clarifying that UNC and its constituent institutions and entities may engage in any activity that (1) furthers its mission as stated in GS 116-1; (2) primarily serves students, employees and/ or alumni; or (3) allows the community or the people of the State to utilize UNC's facilities, equipment or expertise and is not unfair competition. A panel consisting of appointees of the Governor on recommendation of NCCBI, the Secretary of Commerce, and the Board of Governors would be established to resolve questions about whether particular activities are permissible, and UNC would agree to be bound by its determination.
- 17 Tuition Waiver Program Expansion Expand the existing Tuition Waiver Program to include:
- a. Increase number of allowed courses from two to three
  - b. Provide for an exception to the 12-month residency requirement for full-time employees of the University of North Carolina to allow them to pay in-state rates for their dependent children and spouse immediately after establishing residency.
  - c. 25% tuition reduction for dependents and spouses of UNC employees
  - d. Study a tuition waiver exchange program between UNC and the NCCCS.
- 18 Public Records Law Amend Public Records Law to protect from disclosure: (1) donor identities and records; (2) research subject identities, data, and analysis; (3) attorney client privileged communications and attorney work product; (4) to provide that records and materials prepared or reviewed by a health care quality review committee of a University of North Carolina student health services facility shall be confidential and not considered public records within the meaning of G.S. 132-1, and shall not be subject to discovery or introduction into evidence in any civil action against a student health services facility, or a provider of professional health services subject to review by the committee, and (5) to provide that a public entity is not required to provide an electronic copy of any list of e-mail addresses nor to provide a cell phone number for any employee for whom another telephone number is provided.
- 19 Improve Health Care Benefits for UNC Employees Allow UNC to proceed with a health care initiative for UNC employees, a pilot project of the State Health plan to improve employee choice, increase affordability of dependent coverage, and increase emphasis on wellness and disease management.
- 20 Pre-employment Criminal Background Check Allow use of the SBI and FBI repositories of criminal history for pre-employment criminal conviction checks
- 21 Immediate Vesting in ORP Provide immediate vesting in ORP.
- 22 UNC Employees and Non-Profit Clarify that UNC employees may be assigned to perform duties

- |    |   |  |
|----|---|--|
|    | Work  | for non-profit corporations that have a sole purpose of supporting UNC or a constituent institution.             |
| 23 | Exemption of NCCCS from Administrative Procedures Act | Support NC Community College System legislative priority for their exemption from Administrative Procedures Act. |

**Governance**

- |    |  |   |
|----|--|---|
| 24 | Dual Office Holding                        | Eliminate the prohibition against spouses of members of the Board of Governors’ and of members of Boards of Trustees’ being employees or officers of the State, so long as the spouse is not an officer or employee of UNC, for BOG members, or of the relevant campus, for BOT members nor a member of the General Assembly. |
| 25 | Delegate Statutory Duties to the President | Allow the Board of Governors’ to delegate statutory duties to the President.  |

**PRIORITY**

**Finance**

- |    |   |  |
|----|---|--|
| 26 | NCSU Dairy Pilot Plant Exempt from Umstead Act    | Exemption of the NCSU Dairy Pilot Plant from the Umstead Act.  |
| 27 | Amend Contract Requirements                       | Amend the requirement to only allow up to three year contracts without prior written permission from the State Purchasing Officer to allow a longer length of contracts without approval.  |
| 28 | Construction Specifications                       | Modify GS 133-3 to allow campuses of the University to establish campus standards for building components by conducting public evaluation and selection processes, and, thereafter, specifying said components by brand when writing construction specifications.                                  |
| 29 | Water and Juice Proposals                         | Repeal the modifications made to G.S. 143-64 in the 2004 Technical Corrections Bill (S.L. 2004-199) requiring the solicitation of proposals for water and juice separately from other drinks.  |
| 30 | Alcohol Sales at Performing Arts Center           | Permit Alcohol Sales at Campus Performing Art Centers.   |
| 31 | Equity Investment Flexibility for UNC Health Care | Amends the current investment statutes to allow greater flexibility with respect to equity/fixed income allocation and make it clear that the State Treasurer is authorized to invest the funds it holds on behalf of UNC Health Care System in anything permitted under the amended G.S. 147-69.2 |
| 32 | Setoff Debt Collection Act                        | Amends the Setoff Debt Collection Act (SODCA) to add the UNC Health Care System to the list of state agencies exempted from conducting contested claims in accordance with Article 3 of Chapter 150B.  |

**Management & Administration**

- |    |                                |  |
|----|--------------------------------|--|
| 33 | Alternative Insurance Products | Authorize constituent universities to establish the option to pursue alternative insurance products for non-state funded buildings for institutional risk management purposes. |
|----|--------------------------------|--|

- 34      Parking Enforcement                      Amend 116-44.5 to include and authorize The Board of Trustees of NC A&T State University by ordinance to prohibit, regulate and limit the parking of motor vehicles for those portions of certain public streets running through or adjacent to the campus.

Human Resources / Legal

- 35      Unified Leave Policy                      Support joint recommendations of the State Personnel Commission and the UNC BOG that emerge from the Unified Leave Policy Report as directed by the General Assembly during last year's session.
- 36      Peer Review Reports                      Revision to G.S. 126-24(1) to make the identity of the author of external personnel related peer review letters confidential, but not the content of the letter.

*The Board of Governors' supports the efforts of the UNC Association of Student Governments to improve student voter awareness and participation.*