

S. B. 407

CHAPTER 641

AN ACT TO AMEND ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE OR REFINANCE HEALTH CARE FACILITY PROJECTS SUBJECT TO THE APPROVAL OF THE ELECTORATE.

The General Assembly of North Carolina enacts:

Section 1. Article V of the Constitution of North Carolina is hereby amended by adding a new section, to be designated as Section 8, immediately following Section 7 and to read as follows:

"Sec. 8. Health care facilities. Notwithstanding any other provisions of this Constitution, the General Assembly may enact general laws to authorize the State, counties, cities or towns, and other State and local governmental entities to issue revenue bonds to finance or refinance for any such governmental entity or any nonprofit private corporation, regardless of any church or religious relationship, the cost of acquiring, constructing, and financing health care facility projects to be operated to serve and benefit the public; provided, no cost incurred earlier than two years prior to the effective date of this section shall be refinanced. Such bonds shall be payable from the revenues, gross or net, of any such projects and any other health care facilities of any such governmental entity or nonprofit private corporation pledged therefor; shall not be secured by a pledge of the full faith and credit, or deemed to create an indebtedness requiring voter approval of any governmental entity; and may be secured by an agreement which may provide for the conveyance of title of, with or without consideration, any such project or facilities to the governmental entity or nonprofit private corporation. The power of eminent domain shall not be used pursuant hereto for nonprofit private corporations."

Sec. 2. The amendment set forth in Section 1 shall be submitted to the qualified voters of the State at the next general election or at the next statewide election, whichever is earlier, which shall be conducted under the laws then governing elections in the State. At said election, each qualified voter desiring to vote shall be provided a ballot on which shall be printed the following:

"FOR constitutional amendment to permit the General Assembly to enact general laws to authorize the State, counties, cities or towns, and other State and local governmental entities to issue revenue bonds to finance or refinance for any such governmental entity or any nonprofit private corporation, regardless of any church or religious relationship, the cost of acquiring, constructing and financing health care facility projects, such bonds to be payable from the revenues, gross or net, of any such projects and any other health care facilities of any such governmental entity or nonprofit private corporation pledged therefor.

"AGAINST constitutional amendment to permit the General Assembly to enact general laws to authorize the State, counties, cities or towns, and other State and local governmental entities to issue revenue bonds to finance or refinance for any such governmental entity or any nonprofit private corporation, regardless of any church or religious relationship, the cost of acquiring, constructing and financing health care facility projects, such bonds to be payable from the revenues, gross or net, of any such projects and any

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other health care facilities of any such governmental entity or nonprofit private corporation pledged therefor."

Those qualified voters favoring the amendment shall vote by making an "X" or a check mark in the square beside the statement beginning "FOR", and those qualified voters opposed to the amendment shall vote by making an "X" or a check mark in the square beside the statement beginning "AGAINST".

Notwithstanding the foregoing provisions of this section, voting machines may be used in accordance with rules and regulations prescribed by the State Board of Elections.

Sec. 3. If a majority of votes cast thereon are in favor of the amendment, the State Board of Elections shall certify the amendment to the Secretary of State, who shall enroll the amendment so certified among the permanent records of his office, and the amendment shall become effective upon such certification.

Sec. 4. This act shall be deemed to provide an alternative method for the doing of the things authorized hereby, shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing, and this act shall not be construed as a limitation or restriction on the power of the General Assembly to enact laws authorizing governmental entities to issue revenue bonds for health care purposes.

Sec. 5. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of June, 1975.

S. B. 694

CHAPTER 642

AN ACT TO ALLOW A PROPERLY CERTIFIED COPY OF A DEPARTMENT OF MOTOR VEHICLES' RECORD OF PRIOR CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS TO CONSTITUTE PRIMA FACIE EVIDENCE OF SUCH CONVICTIONS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 8 of the General Statutes of North Carolina is amended to add a new section as follows:

"§ 8-35.1. *Department of Motor Vehicles' record admissible as prima facie evidence of convictions under G.S. 20-138 and 20-139.*—Notwithstanding the provisions of G.S. 15A-924(d), a properly certified copy under G.S. 8-35 of the license records of a defendant kept by the Department of Motor Vehicles under G.S. 20-26(a) is admissible as prima facie evidence of any prior convictions of a defendant under G.S. 20-138 and G.S. 20-139."

Sec. 2. G.S. 15A-924(d) is amended to add a sentence as follows:

"Proof of previous convictions under G.S. 20-138 and G.S. 20-139 may be made in accordance with G.S. 8-35.1."

Sec. 3. This act shall become effective on October 1, 1975.

In the General Assembly read three times and ratified, this the 17th day of June, 1975.