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ARTICLE 5 AS AMENDED

RELATING TO CAPITAL DEVELOPMENT PROGRAM

3 SECTION 1. Proposition to be submitted to the people. -- At the general election to be 4 held on the Tuesday next after the first Monday in November 2024, there shall be submitted to the people ("People") of the State of Rhode Island ("State"), for their approval or rejection, the 5 6 following proposition: 7 "Shall the action of the general assembly, by an act passed at the January 2024 session, 8 authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode 9 Island for the capital projects and in the amount with respect to each such project listed below be 10 approved, and the issuance of bonds, refunding bonds, and temporary notes authorized in 11 accordance with the provisions of said act?" 12 Project \$160,500,000 13 (1) Higher Education Facilities Approval of this question will allow the State of Rhode Island to issue general obligation 14 15 bonds, refunding bonds, and/or temporary notes in an amount not to exceed one hundred sixty million, five hundred thousand dollars (\$160,500,000) for capital improvements to higher 16 17 education facilities, to be allocated as follows: 18 (a) University of Rhode Island Biomedical Sciences Building \$87,500,000 19 Provides eighty-seven million, five hundred thousand dollars (\$87,500,000) for the 20 construction of a biomedical sciences building to accelerate the education, research, and workforce 21 development of life sciences for the state. 22 (b) Rhode Island College Cybersecurity Building \$73,000,000 23 Provides seventy-three million dollars (\$73,000,000) to fund the renovation of Whipple 24 Hall and other improvements to support the Institute for Cybersecurity & Emerging Technologies. 25 (2) Housing and Community Opportunity \$120,000,000 26 Approval of this question will allow the State of Rhode Island to issue general obligation 27 bonds, refunding bonds, and/or temporary notes in an amount not to exceed one hundred and twenty million dollars (\$120,000,000) to increase affordable and middle-income the availability of housing 28 29 production and infrastructure, support community revitalization, and promote home ownership to 30 be allocated as follows:

1	(a) Affordable Housing \$90,000,000 \$80,000,000
2	Provides ninety eighty million dollars (\$90,000,000) (\$80,000,000) to increase and
3	preserve the availability of low and moderate income affordable housing production. Of this
4	amount, up to ten million dollars (\$10,000,000) may be used to support a new program for public
5	housing development.
6	(b) Acquisition and Revitalization \$10,000,000
7	Provides ten million dollars (\$10,000,000) to support community revitalization through
8	property acquisition and the redevelopment of existing structures.
9	(c) Homeownership $\frac{10,000,000}{20,000,000}$
10	Provides ten twenty million dollars (\$10,000,000) (\$20,000,000) to increase production of
11	affordable low and moderate and middle- income housing intended for homeownership.
12	(d) Site Acquisition \$5,000,000
13	Provides five million dollars (\$5,000,000) to support the acquisition of properties for
14	redevelopment as affordable and supportive housing.
15	(e) Housing Related Infrastructure \$4,000,000
16	Provides four million dollars (\$4,000,000) to support pre-development and development
17	of site-related physical infrastructure necessary to produce additional affordable housing.
18	(f) Municipal Planning \$1,000,000
19	Provides one million dollars (\$1,000,000) to provide assistance to municipalities to plan
20	and implement changes that up-zone or otherwise enable additional housing development.
21	(3) Green Economy Bonds \$53,000,000
22	Approval of this question will allow the State of Rhode Island to issue general obligation
23	bonds, refunding bonds, and/or temporary notes in an amount not to exceed fifty-three million
24	dollars (\$53,000,000) for environmental and recreational purposes, to be allocated as follows:
25	(a) Port of Davisville Infrastructure at Quonset \$15,000,000
26	Provides fifteen million dollars (\$15,000,000) for infrastructure projects that will support
27	the continued growth and modernization at the Port of Davisville. This investment will finance the
28	Port master plan. The work will include new port access roads, laydown area improvements, and
29	security upgrades to support the new Terminal Five Pier. These projects will upgrade World War
30	II-era infrastructure and position Davisville to accommodate offshore wind project cargo and
31	logistics staging while continuing to support the Port's existing businesses.
32	(b) Climate Resiliency \$2,000,000
33	Provides two million dollars (\$2,000,000) for up to seventy-five percent (75%) matching
34	grants to public and non-profit entities for restoring and/or improving resiliency of vulnerable
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1 coastal habitats and restoring rivers and stream floodplains. These funds are expected to leverage 2 significant matching funds to support local programs to improve community resiliency and public 3 safety in the face of increased flooding, major storm events, and environmental degradation. (c) Brownfields Remediation and Economic Development 4 \$5,000,000 5 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants 6 to public, private, and/or non-profit entities for brownfield remediation projects. 7 (d) Local Recreation Projects \$5,000,000 8 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants 9 for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the 10 growing needs for active outdoor recreational facilities. 11 \$10,000,000 (e) Municipal Resiliency 12 Provides ten million dollars (\$10,000,000) to provide financial assistance to municipalities 13 for restoring and/or improving resiliency of infrastructure, vulnerable coastal habitats, and restoring 14 rivers and stream floodplains. These funds will be prioritized to leverage significant matching funds 15 to support local programs to improve community resiliency and public safety in the face of 16 increased flooding, major storm events, and environmental degradation. 17 (f) Newport Cliff Walk \$3,000,000 Provides three million dollars (\$3,000,000) for restoring and improving the resiliency of 18 19 the historic statewide tourism infrastructure of the public access walkway known as the Newport 20 Cliff Walk located in Newport, Rhode Island. 21 \$5,000,000 (g) Agriculture Land Preservation Commission 22 Provides five million dollars (\$5,000,000) to the agricultural land preservation commission 23 for farmland protection. 24 (h) Open Space Program \$3,000,000 Provides three million dollars (\$3,000,000) to the department of environmental 25 management to bring state open space program amounts back to historic levels. 26 27 (i) Forests and Habitat Management \$5,000,000 Provides five million dollars (\$5,000,000) to the department of environmental 28 29 management, division of agriculture and forest environment, to fund forests and habitat 30 management on state property. 31 (4) Cultural Economy Initiatives Bond \$10,000,000 32 Approval of this question will allow the State of Rhode Island to issue general obligation 33 bonds, refunding bonds, and/or temporary notes in an amount not to exceed ten million dollars 34 (\$10,000,000) for purposes of funding for 1:1 matching grants to continue the Cultural Arts and

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1 the Economy Grant Program administered by the Rhode Island state council on the arts (RISCA) 2 for capital improvement, preservation and renovation projects for public and nonprofit artistic, 3 performance centers, museums and cultural art centers located throughout the State of Rhode 4 Island, to be allocated as follows: 5 \$2,000,000 (a) Tomaquag Museum Provides two million dollars (\$2,000,000) to the Tomaquag Museum in Kingston on the 6 7 URI campus. 8 (b) Newport Contemporary Ballet \$2,000,000 9 Provides two million dollars (\$2,000,000) to support the Newport Contemporary Ballet to 10 build Newport's Center for Arts, Dance & Education. 11 \$2,000,000 (c) Trinity Repertory Company 12 Provides two million dollars (\$2,000,000) to the Trinity Repertory Company to expand and 13 upgrade the Lederer Theater Center. 14 \$4,000,000 (d) Rhode Island state council on the arts 15 Provides four million dollars (\$4,000,000) in funding for 1:1 matching grants to continue 16 the Cultural Arts and the Economy Grant Program administered by the Rhode Island State Council 17 on the Arts (RISCA) for capital improvement, preservation and renovation projects for public and 18 nonprofit artistic, performance centers, museums and cultural art centers located throughout the 19 State of Rhode Island. 20 SECTION 2. Ballot labels and applicability of general election laws. -- The Secretary 21 of State shall prepare and deliver to the State Board of Elections ballot labels for each of the projects 22 provided for in Section 1 hereof with the designations "approve" or "reject" provided next to the 23 description of each such project to enable voters to approve or reject each such proposition. The 24 general election laws, so far as consistent herewith, shall apply to this proposition. 25 SECTION 3. Approval of projects by the people. -- If a majority of the People voting on 26 the proposition in Section 1 hereof shall vote to approve any project stated therein, said project 27 shall be deemed to be approved by the People. The authority to issue bonds, refunding bonds and/or 28 temporary notes of the State shall be limited to the aggregate amount for all such projects as set 29 forth in the proposition, which has been approved by the People. 30 SECTION 4. Bonds for the capital development program. -- The General Treasurer is 31 hereby authorized and empowered, with the approval of the Governor, and in accordance with the 32 provisions of this Act to issue capital development bonds in serial form, in the name of and on 33 behalf of the State of Rhode Island, in amounts as may be specified by the Governor in an aggregate 34 principal amount not to exceed the total amount for all projects approved by the People and

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designated as "capital development loan of 2024 bonds." Provided, however, that the aggregate principal amount of such capital development bonds and of any temporary notes outstanding at any one time issued in anticipation thereof pursuant to Section 7 hereof shall not exceed the total amount for all such projects approved by the People. All provisions in this Act relating to "bonds" shall also be deemed to apply to "refunding bonds."

6 Capital development bonds issued under this Act shall be in denominations of one thousand 7 dollars (\$1,000) each, or multiples thereof, and shall be payable in any coin or currency of the 8 United States which at the time of payment shall be legal tender for public and private debts. These 9 capital development bonds shall bear such date or dates, mature at specified time or times, but not 10 mature beyond the end of the twentieth (20th) State fiscal year following the fiscal year in which 11 they are issued; bear interest payable semi-annually at a specified rate or different or varying rates: 12 be payable at designated time or times at specified place or places; be subject to express terms of 13 redemption or recall, with or without premium; be in a form, with or without interest coupons 14 attached; carry such registration, conversion, reconversion, transfer, debt retirement, acceleration 15 and other provisions as may be fixed by the General Treasurer, with the approval by the Governor, 16 upon each issue of such capital development bonds at the time of each issue. Whenever the 17 Governor shall approve the issuance of such capital development bonds, the Governor's approval 18 shall be certified to the Secretary of State; the bonds shall be signed by the General Treasurer and 19 countersigned by Secretary of State and shall bear the seal of the State. The signature approval of 20 the Governor shall be endorsed on each bond.

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SECTION 5. <u>Refunding bonds for the 2024 capital development program.</u> -- The General Treasurer is hereby authorized and empowered, with the approval of the Governor, and in accordance with the provisions of this Act, to issue bonds to refund the 2024 capital development program bonds, in the name of and on behalf of the state, in amounts as may be specified by the Governor in an aggregate principal amount not to exceed the total amount approved by the People, to be designated as "capital development program loan of 2024 refunding bonds" (hereinafter "Refunding Bonds").

The General Treasurer with the approval of the Governor shall fix the terms and form of any Refunding Bonds issued under this Act in the same manner as the capital development bonds issued under this Act, except that the Refunding Bonds may not mature more than twenty (20) years from the date of original issue of the capital development bonds being refunded.

The proceeds of the Refunding Bonds, exclusive of any premium and accrual interest and net the underwriters' cost, and cost of bond issuance, shall, upon their receipt, be paid by the General Treasurer immediately to the paying agent for the capital development bonds which are to

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be called and prepaid. The paying agent shall hold the Refunding Bond proceeds in trust until they
are applied to prepay the capital development bonds. While such proceeds are held in trust, the
proceeds may be invested for the benefit of the State in obligations of the United States of America
or the State of Rhode Island.

If the General Treasurer shall deposit with the paying agent for the capital development bonds the proceeds of the Refunding Bonds, or proceeds from other sources, amounts that, when invested in obligations of the United States or the State of Rhode Island, are sufficient to pay all principal, interest, and premium, if any, on the capital development bonds until these bonds are called for prepayment, then such capital development bonds shall not be considered debts of the State of Rhode Island for any purpose starting from the date of deposit of such moneys with the paying agent. The Refunding Bonds shall continue to be a debt of the State until paid.

12 The term "bond" shall include "note," and the term "refunding bonds" shall include 13 "refunding notes" when used in this Act.

14 SECTION 6. Proceeds of the capital development program. -- The General Treasurer is 15 directed to deposit the proceeds from the sale of capital development bonds issued under this Act, 16 exclusive of premiums and accrued interest and net the underwriters' cost, and cost of bond 17 issuance, in one or more of the depositories in which the funds of the State may be lawfully kept in special accounts (hereinafter cumulatively referred to as "such capital development bond fund") 18 19 appropriately designated for each of the projects set forth in Section 1 hereof which shall have been 20 approved by the People to be used for the purpose of paying the cost of all such projects so 21 approved.

22 All monies in the capital development bond fund shall be expended for the purposes 23 specified in the proposition provided for in Section 1 hereof under the direction and supervision of 24 the Director of Administration (hereinafter referred to as "Director"). The Director or his or her 25 designee shall be vested with all power and authority necessary or incidental to the purposes of this 26 Act, including but not limited to, the following authority: (a) to acquire land or other real property 27 or any interest, estate or right therein as may be necessary or advantageous to accomplish the 28 purposes of this Act; (b) to direct payment for the preparation of any reports, plans and 29 specifications, and relocation expenses and other costs such as for furnishings, equipment 30 designing, inspecting and engineering, required in connection with the implementation of any 31 projects set forth in Section 1 hereof; (c) to direct payment for the costs of construction, 32 rehabilitation, enlargement, provision of service utilities, and razing of facilities, and other 33 improvements to land in connection with the implementation of any projects set forth in Section 1 34 hereof; and (d) to direct payment for the cost of equipment, supplies, devices, materials and labor

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for repair, renovation or conversion of systems and structures as necessary for the 2024 capital development program bonds or notes hereunder from the proceeds thereof. No funds shall be expended in excess of the amount of the capital development bond fund designated for each project authorized in Section 1 hereof. With respect to the bonds and temporary notes described in Section 1, the proceeds shall be used for the following purposes:

- 6 Question 1, relating to bonds in the amount of one hundred sixty million, five hundred 7 thousand dollars (\$160,500,000) to provide funding for higher education facilities to be allocated 8 as follows:
- 9 (a) University of Rhode Island Biomedical Sciences Building \$87,500,000
 10 Provides eighty-seven million, five hundred thousand dollars (\$87,500,000) for the
 11 construction of a biomedical sciences building to accelerate the education, research, and workforce
 12 development of life sciences for the state.
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- (b) Rhode Island College Cybersecurity Building \$73,000,000
- Provides seventy-three million dollars (\$73,000,000) to fund the renovation of Whipple
 Hall and other improvements to support the Institute for Cybersecurity & Emerging Technologies.
 Question 2, relating to bonds in the amount of one hundred twenty million dollars
 (\$120,000,000) to increase the availability of housing affordable and middle income housing
 production and infrastructure, support community revitalization, and promote home ownership to
- 19 be allocated as follows:

(a) Affordable Housing

- \$90,000,000 <u>\$80,000,000</u>
- Provides <u>ninety</u> <u>eighty</u> million dollars (\$90,000,000) (\$80,000,000) to increase <u>and</u> <u>preserve the availability of low and moderate income housing affordable housing production</u>. Of this amount, up to ten million dollars (\$10,000,000) may be used to support <u>a new program for</u> public housing development.
- (b) Acquisition and Revitalization \$10,000,000
 Provides ten million dollars (\$10,000,000) to support community revitalization through
 property acquisition and the redevelopment of existing structures.
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 (c) Homeownership
 \$10,000,000
 \$20,000,000
- 29 Provides ten twenty million dollars (\$10,000,000) (\$20,000,000) to increase production of
- 30 affordable to increase production of low and moderate and middle- income housing intended for
- 31 homeownership.
- 32 (d) Site Acquisition \$5,000,000
 33 Provides five million dollars (\$5,000,000) to support the acquisition of properties for
- 34 redevelopment as affordable and supportive housing.

1 (e) Housing Related Infrastructure \$4,000,000 2 Provides four million dollars (\$4,000,000) to support pre-development and development 3 of site- related physical infrastructure necessary to produce additional affordable housing. 4 (f) Municipal Planning \$1,000,000 5 Provides one million dollars (\$1,000,000) to provide assistance to municipalities to plan 6 and implement changes that up-zone or otherwise enable additional housing development. 7 Question 3, relating to bonds in the amount of fifty-three million dollars (\$53,000,000) for 8 environmental and recreational purposes, to be allocated as follows: 9 (a) Port of Davisville Infrastructure at Quonset \$15,000,000 10 Provides fifteen million dollars (\$15,000,000) for infrastructure projects that will support 11 the continued growth and modernization at the Port of Davisville. This investment will finance the 12 Port master plan. The work will include new port access roads, laydown area improvements, and 13 security upgrades to support the new Terminal Five Pier. These projects will upgrade World War 14 II-era infrastructure and position Davisville to accommodate offshore wind project cargo and 15 logistics staging while continuing to support the Port's existing businesses. 16 (b) Climate Resiliency \$2,000,000 17 Provides two million dollars (\$2,000,000) for up to seventy-five percent (75%) matching grants to public and non-profit entities for restoring and/or improving resiliency of vulnerable 18 19 coastal habitats and restoring rivers and stream floodplains. These funds are expected to leverage 20 significant matching funds to support local programs to improve community resiliency and public safety in the face of increased flooding, major storm events, and environmental degradation. 21 22 (c) Brownfields Remediation and Economic Development \$5,000,000 23 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants 24 to public, private, and/or non-profit entities for brownfield remediation projects. 25 (d) Local Recreation Projects \$5,000,000 26 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants 27 for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the 28 growing needs for active outdoor recreational facilities. 29 (e) Municipal Resiliency \$10,000,000 30 Provides ten million dollars (\$10,000,000) to provide financial assistance to municipalities 31 for restoring and/or improving resiliency of infrastructure, vulnerable coastal habitats, and restoring 32 rivers and stream floodplains. These funds will be prioritized to leverage significant matching funds 33 to support local programs to improve community resiliency and public safety in the face of 34 increased flooding, major storm events, and environmental degradation.

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1	(f) Newport Cliff Walk \$3,000,000
2	Provides three million dollars (\$3,000,000) for restoring and improving the resiliency of
3	the historic statewide tourism infrastructure of the public access walkway known as the Newport
4	Cliff Walk located in Newport, Rhode Island.
5	(g) Agriculture Land Preservation Commission \$5,000,000
6	Provides five million dollars (\$5,000,000) to the agricultural land preservation commission
7	for farmland protection.
8	(h) Open Space Program \$3,000,000
9	Provides three million dollars (\$3,000,000) to the department of environmental
10	management to bring state open space program amounts back to historic levels.
11	(i) Forests and Habitat Management \$5,000,000
12	Provides five million dollars (\$5,000,000) to the department of environmental
13	management, division of agriculture and forest environment, to fund forests and habitat
14	management on state property.
15	Question 4, relating to bonds in the amount of ten million dollars (\$10,000,000) to fund the
16	Cultural Arts and the Economy Grant Program and the State Preservation Grants Program, to be
17	allocated as follows:
18	(1) Tomaquag Museum \$2,000,000
19	Provides two million dollars (\$2,000,000) to the Tomaquag Museum in Kingston on the
20	URI campus.
21	(2) Newport Contemporary Ballet \$2,000,000
22	Provides two million dollars (\$2,000,000) to support the Newport Contemporary Ballet to
23	build Newport's Center for Arts, Dance & Education.
24	(3) Trinity Repertory Company \$2,000,000
25	Provides two million dollars (\$2,000,000) to the Trinity Repertory Company to expand and
26	upgrade the Lederer Theater Center.
27	(4) Rhode Island State Council on the Arts \$4,000,000
28	Provides four million dollars (\$4,000,000) in funding for 1:1 matching grants to continue
29	the Cultural Arts and the Economy Grant Program administered by the Rhode Island state council
30	on the arts (RISCA) for capital improvement, preservation and renovation projects for public and
31	nonprofit artistic, performance centers, museums and cultural art centers located throughout the
32	State of Rhode Island.
33	SECTION 7. Sale of bonds and notes Any bonds or notes issued under the authority
34	of this Act shall be sold at not less than the principal amount thereof, in such mode and on such
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 in the best interests of the State.

Any premiums and accrued interest, net of the cost of bond issuance and underwriter's discount, which may be received on the sale of the capital development bonds or notes shall become part of the Rhode Island Capital Plan Fund of the State, unless directed by federal law or regulation to be used for some other purpose.

In the event that the amount received from the sale of the capital development bonds or notes exceeds the amount necessary for the purposes stated in Section 6 hereof, the surplus may be used to the extent possible to retire the bonds as the same may become due, to redeem them in accordance with the terms thereof or otherwise to purchase them as the General Treasurer, with the approval of the Governor, shall deem to be in the best interests of the state.

Any bonds or notes issued under the provisions of this Act and coupons on any capital development bonds, if properly executed by the manual or electronic signatures of officers of the State in office on the date of execution, shall be valid and binding according to their tenor, notwithstanding that before the delivery thereof and payment therefor, any or all such officers shall for any reason have ceased to hold office.

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SECTION 8. Bonds and notes to be tax exempt and general obligations of the State. -

- All bonds and notes issued under the authority of this Act shall be exempt from taxation in the
State and shall be general obligations of the State, and the full faith and credit of the State is hereby
pledged for the due payment of the principal and interest on each of such bonds and notes as the
same shall become due.

22 SECTION 9. Investment of moneys in fund. -- All moneys in the capital development 23 fund not immediately required for payment pursuant to the provisions of this act may be invested 24 by the investment commission, as established by Chapter 10 of Title 35, entitled "State Investment 25 Commission," pursuant to the provisions of such chapter; provided, however, that the securities in 26 which the capital development fund is invested shall remain a part of the capital development fund 27 until exchanged for other securities; and provided further, that the income from investments of the capital development fund shall become a part of the general fund of the State and shall be applied 28 29 to the payment of debt service charges of the State, unless directed by federal law or regulation to 30 be used for some other purpose, or to the extent necessary, to rebate to the United States treasury 31 any income from investments (including gains from the disposition of investments) of proceeds of 32 bonds or notes to the extent deemed necessary to exempt (in whole or in part) the interest paid on 33 such bonds or notes from federal income taxation.

34 SECTION 10. <u>Appropriation.</u> -- To the extent the debt service on these bonds is not

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otherwise provided, a sum sufficient to pay the interest and principal due each year on bonds and
 notes hereunder is hereby annually appropriated out of any money in the treasury not otherwise
 appropriated.

SECTION 11. Advances from general fund. -- The General Treasurer is authorized, with 4 5 the approval of the Director and the Governor, in anticipation of the issue of notes or bonds under the authority of this Act, to advance to the capital development bond fund for the purposes specified 6 7 in Section 6 hereof, any funds of the State not specifically held for any particular purpose; provided, 8 however, that all advances made to the capital development bond fund shall be returned to the 9 general fund from the capital development bond fund forthwith upon the receipt by the capital 10 development fund of proceeds resulting from the issue of notes or bonds to the extent of such 11 advances.

12 SECTION 12. Federal assistance and private funds. -- In carrying out this act, the 13 Director, or his or her designee, is authorized on behalf of the State, with the approval of the 14 Governor, to apply for and accept any federal assistance which may become available for the 15 purpose of this Act, whether in the form of loan or grant or otherwise, to accept the provision of 16 any federal legislation therefor, to enter into, act and carry out contracts in connection therewith, 17 to act as agent for the federal government in connection therewith, or to designate a subordinate so 18 to act. Where federal assistance is made available, the project shall be carried out in accordance 19 with applicable federal law, the rules and regulations thereunder and the contract or contracts 20 providing for federal assistance, notwithstanding any contrary provisions of State law. Subject to 21 the foregoing, any federal funds received for the purposes of this Act shall be deposited in the 22 capital development bond fund and expended as a part thereof. The Director or his or her designee 23 may also utilize any private funds that may be made available for the purposes of this Act.

SECTION 13. <u>Effective Date</u>. -- Sections 1, 2, 3, 11, 12 and this Section 13 of this article shall take effect upon passage. The remaining sections of this article shall take effect when and if the State Board of Elections shall certify to the Secretary of State that a majority of the qualified electors voting on the proposition contained in Section 1 hereof have indicated their approval of all or any projects thereunder.