

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1016

Short Title: Harnett Correctional Funds.

(Public)

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Sponsors: Representative W. Brown.

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Referred to: Appropriations.

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May 4, 1995

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT  
HARNETT CORRECTIONAL INSTITUTION.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Administration, Office of State Construction, the sum of three million one hundred one thousand one hundred dollars (\$3,101,100) for the 1995-96 fiscal year for the capital improvements at the Harnett Correctional Institution, to be allocated as follows:

- (1) \$1,563,200 for an operations building;
- (2) \$833,700 for an administration building;
- (3) \$419,500 for an electronic intrusion system;
- (4) \$170,000 for Chase Road completion; and
- (5) \$114,500 for parking.

Sec. 3. The Office of State Construction of the Department of Administration may contract for and supervise all aspects of administration, technical assistance, design, construction, or demolition of prison facilities in order to implement the providing of prison facilities under the provisions of this act.

The facilities authorized under this act shall be constructed in accordance with the provisions of general law applicable to the construction of State facilities. If the Secretary of Administration, after consultation with the Secretary of Correction, finds

1 that the delivery of prison facilities must be expedited for good cause, the Office of State  
2 Construction of the Department of Administration shall be exempt from the following  
3 statutes and rules implementing those statutes, to the extent necessary to expedite  
4 delivery: G.S. 143-135.26, 143-128, 143-129, 143-131, 143-132, 143-134, 113A-1  
5 through 113A-10, 113A-50 through 113A-66, 133-1.1(g), and 143-408.1 through 143-  
6 408.7.

7 Prior to exercising the exemptions allowable under this section, the Secretary  
8 of Administration shall give reasonable notice in writing of the Department's intent to  
9 exercise the exemptions to the Speaker of the House, the President Pro Tempore of the  
10 Senate, the Chairs of the House and Senate Appropriations Committees, the Chairs of the  
11 House and Senate Appropriations Subcommittees on Justice and Public Safety, the Chairs  
12 of the Joint Legislative Corrections Oversight Committee, and the Fiscal Research  
13 Division. The written notice shall contain at least the following information: (i) the  
14 specific statutory requirement or requirements from which the Department intends to  
15 exempt itself; (ii) the reason the exemption is necessary to expedite delivery of prison  
16 facilities; (iii) the way in which the Department anticipates the exemption will expedite  
17 the delivery of prison facilities; and (iv) a brief summary of the proposed contract for the  
18 project which is to be exempted.

19 The Office of State Construction of the Department of Administration shall  
20 have a verifiable ten percent (10%) goal for participation by minority and women-owned  
21 businesses. All contracts for the design, construction, or demolition of prison facilities  
22 shall include a penalty for failure to complete the work by a specified date.

23 The Office of State Construction of the Department of Administration shall  
24 involve the Department of Correction in all aspects of the projects to the extent that such  
25 involvement relates to the Department's program needs and to its responsibility for the  
26 care of the prison population.

27 Sec. 4. The Office of State Construction of the Department of Administration  
28 shall provide quarterly reports to the Chairs of the Appropriations Committee and the  
29 Base Budget Committee in the Senate, the Chairs of the Appropriations Committee in the  
30 House, the Joint Legislative Commission on Governmental Operations, the Chairs of the  
31 Joint Legislative Corrections Oversight Committee, and the Fiscal Research Division as  
32 to any changes in projects and allocations made under this act. The report shall include  
33 any changes in the projects and allocations made pursuant to this act, information on  
34 which contractors have been selected, what contracts have been entered into, the  
35 projected and actual occupancy dates of facilities contracted for, the number of beds to be  
36 constructed on each project, the location of each project, and the projected and actual cost  
37 of each project.

38 The Department of Insurance and the Department of Correction shall report  
39 quarterly to the Joint Legislative Commission on Governmental Operations on their  
40 involvement in the prison construction program.

41 Sec. 5. This act becomes effective July 1, 1995.