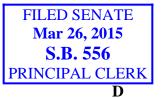
## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015



## S

## SENATE DRS15209-MDa-68A (03/12)

Short Title:	Capital Improvement Reform.	(Public)
Sponsors:	Senators Harrington, Tucker, and Soucek (Primary Sponsors).	
Referred to:		

1		A BILL TO BE ENTITLED
2	AN ACT TO C	REATE A SOURCE OF POOLED PLANNING FUNDS FOR STATE
3	CAPITAL II	MPROVEMENT PROJECTS; TO GIVE THE JOINT LEGISLATIVE
4	OVERSIGHT	COMMITTEE ON GENERAL GOVERNMENT CERTAIN POWERS
5	WITH RESPI	ECT TO OVERSIGHT OF STATE CAPITAL IMPROVEMENTS; AND TO
6	MAKE CHAN	IGES RELATED TO STATE CAPITAL IMPROVEMENTS.
7	The General Asse	mbly of North Carolina enacts:
8	SECT	<b>ION 1.</b> Article 8 of Chapter 143C of the General Statutes is amended by
9	adding a new sect	
10	" <u>§ 143C-8-13. C</u>	apital Improvement Planning Fund.
11		on and Purpose The Capital Improvement Planning Fund is established as a
12		ial fund in the Department of Administration. It is the intent of the General
13	•	l planning of State agency capital improvement projects exclusively through
14		e procedures set forth in this section.
15		Funds. – Funds in the Capital Improvement Planning Fund shall be available
16	-	nly upon appropriation by the General Assembly and shall be used only for
17		ate capital improvement projects.
18		ure for Allocation of Funds The Department of Administration shall
19	-	petitive process for awarding funds from the Capital Improvement Planning
20		funds shall be allocated to fund the planning of a State agency capital
21		ect only if all of the following conditions are satisfied:
22	<u>(1)</u>	The project was included in the budget requests made to the Director of the
23		Budget in accordance with Article 3 of Chapter 143C of the General
24		Statutes.
25	<u>(2)</u>	The Department of Administration determines that there is or is likely to be
26		a State need for the project in the future and the need is substantial enough to
27		justify funding the planning of the project over other projects for which
28		planning will not be funded.
29	<u>(3)</u>	The Department of Administration determines that all of the following
30		conditions are satisfied:
31		a. <u>The project is justified with respect to the capital improvement needs</u>
32		criteria developed by the Office of State Budget and Management
33		pursuant to G.S. 143C-8-3.
34 25		b. The project will be planned using a standard, reusable design set by
35		the Department of Administration.



<ul> <li>c. The project will minimize the inclusion of design elements that an not related to the core function of the project.</li> <li>d. The estimated total cost of the project is lower than the total cost o similar facilities or otherwise meets the need of the State agency: the lowest possible cost to taxpavers.</li> <li>e. The project will incorporate design elements that have yield documented operating cost-savings in similar facilities.</li> <li>(4) The State agency that requested planning funds agrees to abide by an limitations on the scope of the planning imposed by the Department of Administration.</li> <li>(5) If the allocation of funds to plan a particular project exceeds five millic dollars (55,000,000), the Department of Administration consults with the Joint Legislative Commission on Governmental Operations prior to the allocation and reports the allocation to the Joint Legislative Oversigi Committee on General Government.</li> <li>(6) If the allocation of funds to plan a particular project is less than or equal 1 five million dollars (55,000,000), the allocation is reported to the Joint Legislative Commission on Governmental Operations within 60 days of the expenditure or reallocation.</li> <li>(7) The amount of planning funds allocated for the project.</li> <li>(8) The request for the project is accompanied by an estimate of the operatine costs for the completed facility for the first five and 10 years of its operation (9) The agency agrees not to specify any observation from the U.S. Green Building Council.</li> <li>(a) Funding of Planning Does Not Constitute Authority to Complete Full Project. – A allocation of funds for planning of a project under this section shall not be construct 1 authorize completion of any phase of a project that was plane pursuant to this section.</li> <li>(c) Timing of Department Allocations, – To the extent feasible, the Department of Administration shall ensure that the timing of allocations of funds from the Capital Improvem</li></ul>	General Assem	bly of North Carolina	Session 2015
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<ul> <li>(5) An estimate of maintenance and operating costs, including personnel, for the project, covering the first five <u>and 10</u> years of operation.</li> <li>"</li> <li>SECTION 3. G.S. 120-306 reads as rewritten:</li> </ul>			
project, covering the first five <u>and 10</u> years of operation. <b>SECTION 3.</b> G.S. 120-306 reads as rewritten:	following:		
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<b>SECTION 3.</b> G.S. 120-306 reads as rewritten:	(5)	An estimate of maintenance and operating costs, inclu-	uding personnel, for the
SECTION 3. G.S. 120-306 reads as rewritten:		project, covering the first five and 10 years of operation	on.
"\$ 120-306. Purpose and powers of Committee.			
3 220 Coor 1 alpose and powers of Committee	"§ 120-306. Pu	pose and powers of Committee.	

	General Assembly of North Carolina Session 2015
1	(a) The Joint Legislative Oversight Committee on General Government shall examine
2	on a continuing basis the services provided by the departments and agencies set out in this
3	subsection in order to make ongoing recommendations to the General Assembly on ways to
4	improve the effectiveness, efficiency, and quality of State government services. The Committee
5	has the following powers and duties:
6	
7	(10) Examine, on a continuing basis, capital improvements requested by,
8	authorized for, and undertaken by or on behalf of State agencies.
9	(11) Have oversight over implementation of the six-year capital improvements
10	plan developed pursuant to G.S. 143C-8-5.
11	(12) Make recommendations to the General Assembly on ways to improve the
12	planning, financing, design, construction, and maintenance of State capital
13	improvements.
14	(13) Make reports and recommendations to the General Assembly regarding
15	which capital improvements requested by State agencies should be
16	authorized and how they should be funded.
17	(14) Examine any other topic the Committee believes to be related to its purpose.
18	(b) The Committee may make reports to the General Assembly. A report to the General
19	Assembly may contain legislation needed to implement a recommendation of the Committee.
20	(c) As used in this section, the term "capital improvement" shall have the same meaning $\frac{1}{1420}$
21	<u>as in G.S. 143C-1-1.</u> "
22	SECTION 4. G.S. 120-76(9) is repealed.
23	<b>SECTION 5.</b> No later than August 1, 2015, the Department of Administration shall
24 25	report to the Joint Legislative Commission on Governmental Operations on the process it will use to make allocation decisions under G.S. 143C-8-13, as enacted by Section 1 of this act. The
23 26	report shall specifically include information about the way that the Department will ensure that
20 27	the process is competitive.
28	SECTION 6. This act becomes effective July 1, 2015.
20	SECTION 0. This act becomes effective july 1, 2013.