

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 976

Finance Committee Substitute Adopted 6/18/92

House Committee Substitute Favorable 7/16/92

Fourth Edition Engrossed 7/16/92

Short Title: Capital Needs Study Commission.

(Public)

Sponsors:

Referred to:

May 27, 1992

A BILL TO BE ENTITLED

AN ACT TO CREATE THE CAPITAL NEEDS STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The General Assembly finds that:

- (1) State government agencies and institutions have many unmet capital needs for new capital construction and repairs and renovations to existing capital facilities.
- (2) Among the agencies and institutions that have unmet capital needs are the public schools, community colleges, The University of North Carolina, State mental institutions, State parks and recreation areas, the State Bureau of Investigation, correctional facilities and the Department of Agriculture.
- (3) The amount of unmet needs may exceed the amount of funds available to the State.
- (4) The Fiscal Trends Study Commission will be reporting to the 1993 General Assembly, which will allow the General Assembly to better estimate the funds that it may have available to fund capital needs, either through direct appropriations, bond issues, or a combination thereof.

Sec. 2. The Capital Needs Study Commission is created to study the unmet capital needs of the State. The Commission is to be composed of 18 members: nine

1 appointed by the Speaker of the House of Representatives and nine appointed by the  
2 President Pro Tempore of the Senate. Of the members appointed by the Speaker of the  
3 House of Representatives, six shall be members of the House of Representatives at the  
4 time of their appointment and three shall be public members who are not members of  
5 the General Assembly. Of the members appointed by the President Pro Tempore of the  
6 Senate, six shall be members of the Senate at the time of their appointment and three  
7 shall be public members who are not members of the General Assembly. A vacancy in  
8 the membership of the Commission shall be filled in the same manner as the original  
9 appointment.

10 The Speaker of the House of Representatives and the President Pro Tempore  
11 of the Senate shall each designate a cochair from their appointees. Either cochair may  
12 call the first meeting of the Commission.

13 Sec. 3. (a) In conducting the study, the Commission may investigate and determine  
14 the following:

- 15 (1) The capital needs, immediate and over the next 10 years, of State  
16 agencies and institutions, and the ability of the State to meet these  
17 needs.
- 18 (2) Specific projects that need to be funded and the priorities of the  
19 projects.
- 20 (3) Sources of funding for meeting capital needs and, if bonds are  
21 identified as a source, the best method of structuring the issuance of  
22 the bonds so the identified needs are filled in the most economic and  
23 efficient manner.
- 24 (4) The most appropriate allocation of funds derived from the issuance of  
25 any education bonds between the educational divisions, which are the  
26 public schools, the community colleges, and The University of North  
27 Carolina, and among each division's individual components.
- 28 (5) The extent of repairs and renovations needed by existing capital  
29 facilities.

30 (b) The Commission shall submit a final written report of its findings and  
31 recommendations, including any proposed legislation, to the General Assembly by  
32 February 15, 1993, so that any recommended legislation calling for a referendum on the  
33 issuance of bonds can be considered and a referendum held no later than the end of May  
34 1993.

35 (c) The report shall be filed with the President Pro Tempore of the Senate and the  
36 Speaker of the House of Representatives. Upon filing its final report, the Commission  
37 shall terminate.

38 Sec. 4. With the prior approval of the Legislative Services Commission, the  
39 Legislative Administrative Officer shall assign professional and clerical staff to assist in  
40 the work of the Commission. Clerical staff shall be furnished to the Commission  
41 through the Offices of the House and Senate Supervisors of Clerks. The expenses of  
42 employment of the clerical staff shall be borne by the Commission. With the prior  
43 approval of the Legislative Services Commission, the Study Commission may hold its  
44 meetings in the State Legislative Building or the Legislative Office Building.

1           Sec. 5. Members of the Commission shall be paid per diem, subsistence, and  
2 travel allowances as follows:

3           (1) Commission members who are also members of the General  
4           Assembly, at the rate established in G.S. 120-3.1;

5           (2) Commission members who are officials or employees of the State or of  
6           local government agencies, at the rate established in G.S. 138-6;

7           (3) All other Commission members, at the rate established in G.S. 138-5.

8           Sec. 6. The Legislative Services Commission may provide necessary funds  
9 to the Commission for its operation.

10          Sec. 7. This act is effective upon ratification.