

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1993**

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SENATE BILL 1453

Short Title: Boot Camp Funds.

(Public)

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Sponsors: Senators Odom; Albertson and Blackmon.

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Referred to: Appropriations.

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May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION AND OPERATION  
OF AN URBAN BOOT CAMP.

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 one million one hundred thousand dollars (\$1,100,000) for the 1994-95 fiscal year for the construction of a boot camp in an urban area or renovation of an existing facility for use as a boot camp in an urban area.

Sec. 2. There is appropriated from the General Fund to the Department of Correction the sum of one million two hundred fifty thousand dollars (\$1,250,000) for the 1994-95 fiscal year as a reserve for operation during 1994-95 of the boot camp constructed pursuant to Section 1 of this act.

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 that the delivery of prison facilities must be expedited for good cause, the Office of State Construction of the Department of Administration shall be exempt from the following statutes and rules implementing those statutes, to the extent necessary to expedite delivery: G.S. 143-135.26, 143-128, 143-129, 143-131, 143-132, 143-134,

1 113A-1 through 113A-10, 113A-50 through 113A-66, 133-1.1(g), and 143-408.1  
2 through 143-408.7.

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

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

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

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

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

35           Sec. 5. This act becomes effective July 1, 1994.