

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 21*
Second Edition Engrossed 2/24/94

Short Title: Boot Camp Funds.

(Public)

Sponsors: Senators Perdue; Albertson, Parnell, Conder, Allran, Cochrane, Forrester, Walker, Marshall, Harris, Daniel, Kerr, Cooper, Kaplan, Edwards, Gunter, Speed, Lee, Sands, Plyler, Seymour, Ward, Parnell, Tally, Plexico, and Hoyle.

Referred to: Appropriations.

February 9, 1994

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION AND OPERATION
3 OF A BOOT CAMP FOR YOUTHFUL OFFENDERS.

4 The General Assembly of North Carolina enacts:

5 Section 1. There is appropriated from the General Fund to the Department of
6 Administration, Office of State Construction, the sum of one million one hundred
7 thousand dollars (\$1,100,000) for the 1993-94 fiscal year for the construction of the
8 following capital improvement project:

Table with 3 columns: Project Description, Security Level, Beds. Row 1: Boot Camp, Minimum, 90

13 Sec. 2. There is appropriated from the General Fund to the Department of
14 Correction the sum of one million five hundred sixteen thousand six hundred sixty-six
15 dollars (\$1,516,666) for the 1994-95 fiscal year as a reserve for the operation of a new
16 boot camp for youthful offenders to be brought on line in the 1994-95 fiscal year under
17 the construction program provided for in this act. The boot camp shall operate
18 according to the guidelines set forth for the Intensive Motivational Program of
19 Alternative Correctional Treatment (IMPACT) in Chapter 1010 of the 1989 Session
20 Laws.

1 Sec. 2.1. There is appropriated from the General Fund to the Department of
2 Correction the sum of one million nine hundred one thousand five hundred seventy-
3 seven dollars (\$1,901,577) for the 1994-95 fiscal year to provide a post-Boot Camp
4 program for probationers who are likely to benefit from such a program in order to
5 assist them to become productive citizens and to remain free from criminal activity.
6 The Department shall select up to 540 probationers to participate in the program, which
7 shall include intensive probation supervision, substance abuse treatment and counseling,
8 family contact, involvement, and counseling, consultation with appropriate personnel in
9 the Department of Human Resources in establishing participation by probationers in
10 appropriate community-based services, and other appropriate intervention.

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

15 The facilities authorized under this act shall be constructed in accordance
16 with the provisions of general law applicable to the construction of State facilities. If
17 the Secretary of Administration, after consultation with the Secretary of Correction,
18 finds that the delivery of prison facilities must be expedited for good cause, the Office
19 of State Construction of the Department of Administration may use alternative delivery
20 systems and shall be exempt from the following statutes and rules implementing those
21 statutes, to the extent necessary to expedite delivery: G.S. 143-135.26, 143-128, 143-
22 129, 143-131, 143-132, 143-134, 113A-1 through 113A-10, 113A-50 through 113A-66,
23 133-1.1(g), and 143-408.1 through 143-408.7.

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

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

39 The Office of State Construction of the Department of Administration shall
40 consider alternative delivery systems that could expedite the delivery of prison facilities.
41 Such delivery systems as design-build, using modular or conventional building systems,
42 shall be considered. However, in order for such alternatives to be used, the Department
43 of Correction must approve the proposed design for operational programming and cost
44 of operations and maintenance.

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

5 Sec. 4. The Office of State Construction of the Department of Administration
6 shall provide quarterly reports to the Chairs of the Appropriations Committee and the
7 Base Budget Committee in the Senate, the Chairs of the Appropriations Committee in
8 the House, the Joint Legislative Commission on Governmental Operations, and the
9 Fiscal Research Division as to any changes in projects and allocations made under this
10 act. The report shall include any changes in the projects and allocations made pursuant
11 to this act, information on which contractors have been selected, what contracts have
12 been entered into, the projected and actual occupancy dates of facilities contracted for,
13 the number of beds to be constructed on each project, the location of each project, and
14 the projected and actual cost of each project.

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

18 Sec. 5. This act is effective upon ratification.