GENERAL ASSEMBLY OF NORTH CAROLINA **SESSION 2003**

Η 1 **HOUSE BILL 1778**

Short Title: Lo	cal School Construction Financing Study.	(Public)
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Representatives Yongue; and Glazier. **Sponsors:**

Referred to: Rules, Calendar, and Operations of the House. May 31, 2004 A BILL TO BE ENTITLED 1 2 AN ACT TO ESTABLISH THE LOCAL SCHOOL CONSTRUCTION FINANCING 3 STUDY COMMISSION. 4 The General Assembly of North Carolina enacts: 5 **SECTION 1.(a)** Establishment of the Commission. – The Local School Construction Financing Study Commission is established. 6 7 **SECTION 1.(b)** Membership. – The Commission shall be composed of 18 8 members, as follows: 9 (1) One member appointed by the Governor, after consultation with the 10 President Pro Tempore of the Senate and the Speaker of the House of Representatives, who shall serve as chair; 11 12 (2) Eight members appointed by the President Pro Tempore of the Senate: two members of the Senate from urban areas, two members of the 13 14 Senate from rural areas, one member representing a large, fast-growing, urban school administrative unit that is a plaintiff in the 15 16 Leandro school-financing litigation, one member from the financial 17 services industry, one county commissioner, and one educator; 18

- Eight members appointed by the Speaker of the House of (3)
- Representatives: two members of the House of Representatives from urban areas, two members of the House of Representatives from rural areas, one member representing a low-wealth school administrative unit that is a plaintiff in the Leandro school-financing litigation, one member who is knowledgeable about municipal and school finance, one school board member, and one educator; and
- The State Treasurer or a designee. (4)

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Vacancies shall be filled by the appointing authority.

SECTION 1.(c) Duties of the Commission. – The Commission shall examine the present system of local financing for school facilities and shall study alternative options for financing local school construction, renovation, repair, and 1 2

maintenance. The Commission may study and consider public-private partnerships for school construction and facility ownership, sale lease-back arrangements, private and commercial financing arrangements, design standards for school facilities that may facilitate alternative financing techniques, alternative local revenue sources for financing school facilities, the use of real estate investment trusts, State and local construction bond pools, and any other financing issues deemed pertinent by the Commission.

SECTION 1.(d) Expenses of Members. – Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 1.(e) Consultants and Other Staff. – The Commission may hire consultants to provide research, staff support, and information about school financing in other states to the Commission, in accordance with G.S. 120-32.02. The Legislative Services Office, with the prior approval of the Legislative Services Commission, shall also assign professional and clerical staff to assist the Commission in its work.

SECTION 1.(f) Cooperation by Government Agencies. – The Commission may call upon any department, agency, institution, or officer of the State or any political subdivision of the State for facilities, data, or other assistance. All State departments and agencies, local governments, and their subdivisions shall cooperate with the Commission and, upon request, shall furnish the Commission and its staff any information in their possession or available to them.

SECTION 1.(g) Meetings During Legislative Session. – The Commission may meet during a regular or extra session of the General Assembly.

SECTION 1.(h) Meeting Location. – The Legislative Services Commission shall grant adequate meeting space to the Commission in the State Legislative Building or the Legislative Office Building. The Commission may also meet at various locations around the State in order to promote greater public participation in its deliberations.

SECTION 1.(i) Reports. – The Commission shall make an interim report to the 2005 General Assembly no later than January 31, 2005, and a final report to the 2006 Regular Session of the 2005 General Assembly no later than March 31, 2006. The final report shall contain recommendations for legislation to implement recommendations made by the Commission. The interim report may also contain recommendations for legislation. The Commission shall terminate on March 31, 2006.

SECTION 2. There is appropriated from the General Fund to the General Assembly the sum of two hundred thousand dollars (\$200,000) for the 2004-2005 fiscal year for the expenses of the Local School Construction Financing Study Commission. The Commission may also apply for, receive, or accept grants and contributions, subject to the provisions of G.S. 120-32.03, to support the work of the Commission.

SECTION 3. This act becomes effective July 1, 2004.