



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0057

Introduced 1/14/2009, by Rep. David Reis

SYNOPSIS AS INTRODUCED:

25 ILCS 130/1-3	from Ch. 63, par. 1001-3
25 ILCS 130/Art. 8B heading new	
25 ILCS 130/8B-5 new	
25 ILCS 130/8B-10 new	
25 ILCS 130/8B-15 new	
25 ILCS 130/8B-20 new	
25 ILCS 130/8B-25 new	
25 ILCS 130/8B-30 new	
25 ILCS 130/8B-35 new	
25 ILCS 130/8B-40 new	

Amends the Legislative Commission Reorganization Act of 1984. Creates the Joint Committee on Capital Improvements (JCCI) as a legislative support services agency consisting of 12 General Assembly members appointed by the legislative leaders. Requires JCCI to develop 5-year plans for the State's capital improvements needs. Authorizes the General Assembly by joint resolution to approve a 5-year capital plan. Requires JCCI to analyze State budgets and legislation proposing capital improvements with respect to construction costs and post-construction operating costs and to determine the projects' compliance with the capital plan. Requires JCCI to advise the appropriations and revenue committees of the General Assembly with respect to such analysis. Requires JCCI to monitor construction projects, post-construction project implementation, and repair and maintenance costs and authorizes JCCI to prohibit further spending when it determines any non-compliance with the capital plan threatens the public health, safety, and welfare. Provides that the JCCI's authority does not extend to capital projects funded primarily with revenues from motor fuel taxes.

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FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Legislative Commission Reorganization Act
5 of 1984 is amended by changing Section 1-3 and by adding the
6 heading of Article 8B and Sections 8B-5, 8B-10, 8B-15, 8B-20,
7 8B-25, 8B-30, 8B-35, and 8B-40 as follows:

8 (25 ILCS 130/1-3) (from Ch. 63, par. 1001-3)

9 Sec. 1-3. Legislative support services agencies. The Joint
10 Committee on Legislative Support Services is responsible for
11 establishing general policy and coordinating activities among
12 the legislative support services agencies. The legislative
13 support services agencies include the following:

14 (1) Joint Committee on Administrative Rules;

15 (2) Commission on Government Forecasting and
16 Accountability;

17 (3) Legislative Information System;

18 (4) Legislative Reference Bureau;

19 (5) Legislative Audit Commission;

20 (6) Legislative Printing Unit;

21 (7) Legislative Research Unit; ~~and~~

22 (8) Office of the Architect of the Capitol; ~~and~~

23 (9) Joint Committee on Capital Improvements.

1 (Source: P.A. 93-632, eff. 2-1-04; 93-1067, eff. 1-15-05.)

2 (25 ILCS 130/Art. 8B heading new)

3 ARTICLE 8B.

4 (25 ILCS 130/8B-5 new)

5 Sec. 8B-5. Definitions. As used in this Article:

6 "Adopted capital plan" means the capital plan prepared by
7 the Joint Committee on Capital Improvements and approved by
8 joint resolution of the General Assembly, as provided in
9 Section 8B-15, for the current 5-year period.

10 "JCCI" means the Joint Committee on Capital Improvements.

11 (25 ILCS 130/8B-10 new)

12 Sec. 8B-10. Scope. The authority and responsibility of JCCI
13 does not extend to capital facilities, improvements, projects,
14 or needs funded primarily with revenue from taxes on motor
15 fuel.

16 (25 ILCS 130/8B-15 new)

17 Sec. 8B-15. Five-year plan. JCCI shall prepare each year a
18 State capital plan for addressing State public capital needs
19 for the following 5 years. The plan shall be submitted to the
20 Governor and each house of the General Assembly no later than
21 December 1 of each calendar year.

22 JCCI has the right to request and receive any information

1 it needs from any State agency in the preparation of the 5-year
2 plan.

3 Following its submission to the General Assembly, the plan
4 shall be considered by both houses of the General Assembly. If
5 the same joint resolution to approve the plan is adopted by a
6 record vote of three-fifths of the members elected to each
7 house, the plan shall be a valid capital plan of the State for
8 the period of time it covers.

9 (25 ILCS 130/8B-20 new)

10 Sec. 8B-20. Budgeting analysis. JCCI shall perform
11 budgeting analysis for each proposed capital improvement
12 project in each budget submitted by the Governor, including
13 each annual budget submitted in compliance with Section 2 of
14 Article VIII of the Illinois Constitution, and for each
15 proposed capital improvement project included in proposed
16 legislation filed by any member of the General Assembly. The
17 budgeting analysis shall include an analysis of the entire cost
18 of constructing the project and, in addition, all projected
19 operating costs of the project for the first 2 years after
20 completion of the project.

21 The budgeting analysis shall scrutinize the compliance of
22 the Governor's budget with the current adopted capital plan.

23 (25 ILCS 130/8B-25 new)

24 Sec. 8B-25. Advising legislative committees. JCCI shall

1 advise the appropriations and revenue committees of each house
2 of the General Assembly on the financial needs of the State
3 necessary to comply with the current adopted capital plan.

4 If JCCI finds that the Governor's capital budget is not in
5 compliance with the current adopted capital plan, it shall make
6 an official finding of that fact by majority vote and shall
7 submit that finding to the appropriations and revenue
8 committees of both houses of the General Assembly.

9 (25 ILCS 130/8B-30 new)

10 Sec. 8B-30. Construction monitoring; prohibition against
11 further spending. JCCI shall monitor all new construction on
12 any State-funded capital improvement project.

13 If JCCI finds that (i) any capital improvement project
14 construction phase is not in compliance with the current
15 adopted capital plan and (ii) the level of noncompliance
16 represented by that project constitutes a serious threat to the
17 public interest, safety, and welfare, then JCCI, by the
18 affirmative vote of three-fifths of the members appointed, may
19 prohibit further State spending on the project.

20 (25 ILCS 130/8B-35 new)

21 Sec. 8B-35. Post-construction monitoring; prohibition
22 against further spending. JCCI shall monitor the
23 post-construction implementation of each approved State-funded
24 capital improvement project, including all operating costs for

1 the first 2 years after completion of the project.

2 If JCCI finds that (i) any capital improvement project post
3 construction implementation phase is not in compliance with the
4 current adopted capital plan and (ii) the level of
5 noncompliance represented by that project constitutes a
6 serious threat to the public interest, safety, and welfare,
7 then JCCI, by the affirmative vote of three-fifths of the
8 members appointed, may prohibit further State spending on the
9 project.

10 (25 ILCS 130/8B-40 new)

11 Sec. 8B-40. Repairs and maintenance; prohibition against
12 further spending. JCCI, by rule adopted by resolution, shall
13 establish a level of spending on State capital facility repair
14 and maintenance that shall trigger the scrutiny of JCCI. JCCI
15 shall monitor each project involving the repair or maintenance
16 of an existing State building or facility when that project
17 costs more than the triggering level.

18 If JCCI finds that (i) any project to repair or maintain
19 the capital infrastructure of the State is not in compliance
20 with the current adopted capital plan and (ii) the level of
21 noncompliance represented by that project constitutes a
22 serious threat to the public interest, safety, and welfare,
23 then JCCI, by the affirmative vote of three-fifths of the
24 members appointed, may prohibit further State spending on the
25 project.