

**8.3A Capital project planning and budgeting — governor’s duties.**

1. *Definitions.* For the purposes of this section:

a. “*Capital project*” does not include highway and right-of-way projects or airport capital projects undertaken by the state department of transportation and financed from dedicated funds or capital projects funded by nonstate grants, gifts, or contracts obtained at or through state universities, if the projects do not require a commitment of additional state resources for maintenance, operations, or staffing.

b. “*Facility*” means a distinct parcel of land or a building used by the state or a state agency for a specific purpose.

c. “*State agency*” means any executive, judicial, or legislative department, commission, board, institution, division, bureau, office, agency, or other entity of state government.

2. *Duties.* The governor shall:

a. Develop criteria for the evaluation of proposed capital projects which shall include but not be limited to the following:

- (1) Fiscal impacts on costs and revenues.
- (2) Health and safety effects.
- (3) Community economic effects.
- (4) Environmental, aesthetic, and social effects.
- (5) Amount of disruption and inconvenience caused by the capital project.
- (6) Distributional effects.
- (7) Feasibility, including public support and project readiness.
- (8) Implications of deferring the project.
- (9) Amount of uncertainty and risk.
- (10) Effects on interjurisdictional relationships.
- (11) Advantages accruing from relationships to other capital project proposals.
- (12) Private sector contracting for construction, operation, or maintenance.

b. Make recommendations to the general assembly and the legislative capital projects committee regarding the funding and priorities of proposed capital projects.

c. Develop maintenance standards and guidelines for capital projects.

d. Review financing alternatives available to fund capital projects, including the evaluation of the advantages and disadvantages of bonding for all types of capital projects undertaken by all state agencies.

e. Monitor the debt of the state or a state agency.

3. *Division of project restricted.* A capital project shall not be divided into smaller projects in such a manner as to thwart the intent of this section to provide for the evaluation of a capital project whose cost cumulatively equals or exceeds two hundred fifty thousand dollars.

89 Acts, ch 298, §4; 2008 Acts, ch 1031, §74