GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 44

Short Title: Robeson Detention Exemption.	(Local)
Sponsors: Senator Parnell.	
Referred to: Local Government and Regional Affairs.	

February 11, 1991

A BILL TO BE ENTITLED

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AN ACT TO EXEMPT ROBESON COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY.

Whereas, Robeson County has submitted plans for a 240-bed, direct-supervision detention facility for review by the State of North Carolina; and

Whereas, an estimate indicates that the completion of this facility will take at least 20 months; and

Whereas, the chairman of the Robeson County Board of Commissioners has received a notice of violation of State standards for local confinement facilities that concerns allegations of overcrowded conditions at the Robeson County jail; and

Whereas, Robeson County is presently named as a defendant in a class action entitled <u>Oxendine v. Robeson County</u>, which also involves allegations of overcrowded conditions at the Robeson County jail; and

Whereas, members of the Robeson County Board of Commissioners have recently toured an indirect-supervision detention facility located in another state that was designed and constructed in less than one year using a concept known as "design and build;" and

Whereas, the members of the Robeson County Board of Commissioners believe that the immediate construction of an indirect-supervision detention facility would best serve the needs of the citizens of Robeson County; and

Whereas, the Robeson County Board of Commissioners has been informed that the concept of "design and build" may conflict with some provisions of Article 8 of Chapter 143 of the General Statutes concerning the letting of public contracts; and

Whereas, Chapter 8 of the the 1989 Session Laws exempted the State of North Carolina from certain provisions of Article 8 of Chapter 143 of the General Statutes in order to expedite construction in response to a similar overcrowding emergency; and

Whereas, the Robeson County Board of Commissioners has requested the passage of an act exempting the county from meeting certain requirements of Article 8 of Chapter 143 of the General Statutes; and

Whereas, the Robeson County Board of Commissioners has stated that it will endeavor to comply with the spirit of Article 8 by providing local contractors and minority contractors with an opportunity to bid on portions of the construction project; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The County of Robeson may contract for the design and construction of a county detention facility to relieve overcrowding at its current facility without being subject to the requirements of G.S. 143-128, 143-129, 143-131, and 143-132.

Sec. 2. This act is effective upon ratification.