

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1989**

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SENATE BILL 185\*

Short Title: State Construction Process Study.

(Public)

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Sponsors: Senators Goldston, Ezzell, Hunt of Durham and Plyler.

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Referred to: Rules.

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February 16, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A COMMISSION TO STUDY THE STATE  
3 CONSTRUCTION PROCESS.

4 Whereas, in June of 1982 the Office of State Budget and Management  
5 developed a report dealing with rules, regulations, and procedures affecting the capital  
6 construction process for construction of North Carolina State Government buildings;  
7 and

8 Whereas, that report identified some 40 reviews and/or permits that may be  
9 required for State construction projects, spread over 17 State agencies; and

10 Whereas, this complex procedural maze is in addition to any additional  
11 requirements imposed by cities, counties, and the federal government; and

12 Whereas, there is confusion as to how to proceed, and little coordination of  
13 effort required to complete the process; and

14 Whereas, it may make sense for one agency to administer all building code  
15 related issues, but that the diversity of rules and their intended purposes of protection of  
16 the public health, public safety, the environment, natural resources and cultural  
17 resources almost precludes consolidation of all these functions; and

18 Whereas, from 1957 through 1971 a statutorily established Interdepartmental  
19 Building Regulations Committee provided some coordination, but this committee has  
20 been abolished; and

21 Whereas, it is just as costly for a project to be delayed during the design  
22 phase as during the construction phase; Now, therefore,  
23 The General Assembly of North Carolina enacts:

1 Section 1. The State Construction Process Study Commission is created. The  
2 Commission shall consist of 12 members: six Senators appointed by the President Pro  
3 Tempore of the Senate, and six Representatives appointed by the Speaker of the House.

4 Sec. 2. The President Pro Tempore of the Senate shall designate one Senator  
5 as cochairman and the Speaker of the House shall designate one Representative as  
6 cochairman.

7 Sec. 3. The Commission shall:

8 (1) Study the process for approval of State construction projects;

9 (2) Study the feasibility of consolidating some of the permitting processes  
10 required for construction of State buildings; and

11 (3) Study the feasibility of a clearinghouse approach for approval of State  
12 construction projects.

13 Sec. 4. The Commission shall submit a final report of its findings and  
14 recommendations to the General Assembly on or before the first day of the 1991  
15 Session of the General Assembly by filing the report with the President of the Senate  
16 and the Speaker of the House of Representatives. Upon filing its final report, the  
17 Commission shall terminate.

18 Sec. 5. The Commission, while in the discharge of official duties, may  
19 exercise all the powers provided for under the provisions of G.S. 120-19, and G.S. 120-  
20 19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call  
21 of the cochairmen. The Commission may meet in the Legislative Building or the  
22 Legislative Office Building.

23 Sec. 6. Members of the Commission shall receive subsistence and travel  
24 expenses at the rates set forth in G.S. 120-3.1.

25 Sec. 7. The Commission may contract for professional, clerical, or consultant  
26 services as provided by G.S. 120-32.02. The Legislative Services Commission, through  
27 the Legislative Administrative Officer, shall assign professional staff to assist in the  
28 work of the Commission. The House of Representatives' and the Senate's Supervisor of  
29 Clerks shall assign clerical staff to the Commission, upon the direction of the  
30 Legislative Services Commission. The expenses relating to clerical employees shall be  
31 borne by the Commission.

32 Sec. 8. When a vacancy occurs in the membership of the Commission the  
33 vacancy shall be filled by the same appointing officer who made the initial appointment.

34 Sec. 9. All State departments and agencies and local governments and their  
35 subdivisions shall furnish the Commission with any information in their possession or  
36 available to them.

37 Sec. 10. There is appropriated from the General Fund to the General  
38 Assembly for fiscal year 1989-90 the sum of twenty thousand dollars (\$20,000) and for  
39 fiscal year 1990-91 the sum of twenty thousand dollars (\$20,000) for the expenses of  
40 the Commission.

41 Sec. 11. This act shall become effective July 1, 1989.