

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 2
SENATE BILL 44

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 Oxendine v. Robeson County, 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, and expires July 1, 1992.

In the General Assembly read three times and ratified this the 25th day of February, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives