

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 629

Short Title: Union Jail Exemption.

(Local)

Sponsors: Senator Plyler.

Referred to: Local Government and Regional Affairs.

April 15, 1991

A BILL TO BE ENTITLED
AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY
REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION
FACILITY.

Whereas, Union County is in the process of submitting plans for a direct-supervision detention facility for review by the State of North Carolina; and

Whereas, an estimate indicates that the completion of this facility under normal circumstances will take a considerable amount of time; and

Whereas, Union County is presently named as a defendant in a class action entitled Huntley v McGuirt, et al., which involves allegations of overcrowded conditions at the Union County jail; and

Whereas, this lawsuit is presently pending in the United States District Court for the Western District of North Carolina, and may well come to trial within the next three months; and

Whereas, members of the Union County Board of Commissioners have reviewed plans for an indirect-supervision detention facility similar to that proposed for Robeson County, North Carolina, which is to be designed and constructed in less than one year using a concept known as "design and build"; and

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

Whereas, the Union 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

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

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

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

10 Now, therefore,

11 The General Assembly of North Carolina enacts:

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

15 Sec. 2. This act is effective upon ratification and expires July 1, 1991.