

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 44  
Second Edition Engrossed 2/20/91

Short Title: Robeson Detention Exemption.

(Local)

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Sponsors: Senator Parnell.

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Referred to: Local Government and Regional Affairs.

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February 11, 1991

1   A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT ROBESON COUNTY FROM CERTAIN STATUTORY  
3 REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION  
4 FACILITY.

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

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

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

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

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

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

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

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

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

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

14 Now, therefore,

15 The General Assembly of North Carolina enacts:

16           Section 1. The County of Robeson may contract for the design and  
17 construction of a county detention facility to relieve overcrowding at its current facility  
18 without being subject to the requirements of G.S. 143-128, 143-129, 143-131, and 143-  
19 132.

20           Sec. 2. This act is effective upon ratification, and expires July 1, 1992.