

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 50
SENATE BILL 186

AN ACT TO AUTHORIZE THE STATE BUILDING COMMISSION TO ADOPT RULES REGARDING THE QUALIFICATIONS AND EXPERIENCE OF CONSULTANTS SELECTED FOR CAPITAL IMPROVEMENT PROJECTS, AND TO CLARIFY THE REQUIREMENT THAT A DESIGNER FOR PROJECTS BE SELECTED WITHIN 60 DAYS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-135.26(1) reads as rewritten:

"§ 143-135.26. Powers and duties of the Commission.

The State Building Commission shall have the following powers and duties with regard to the State's capital facilities development and management program:

- (1) To adopt rules establishing standard procedures and criteria to assure that the designer selected for each State capital improvement project and the consultant selected for planning and studies of an architectural and engineering nature associated with a capital improvement project or a future capital improvement project has the qualifications and experience necessary for that capital improvement project. ~~project or the proposed planning or study project.~~ The rules shall provide that the State Building Commission, after consulting with the funded agency, is responsible and accountable for the final selection of the designer and the final selection of the consultant except when the General Assembly or The University of North Carolina is the funded agency. When the General Assembly is the funded agency, the Legislative Services Commission is responsible and accountable for the final selection of the ~~designer,~~ designer and the final selection of the consultant, and when the University is the funded agency, it shall be subject to the rules adopted hereunder, except it is responsible and accountable for the final selection of the ~~designer,~~ designer and the final selection of the consultant. All designers and consultants shall be selected within 60 days of the date funds are appropriated for a project by the General Assembly. ~~Assembly or the date of project authorization by the Director of the Budget;~~ provided, however, the State Building Commission may grant an exception to this requirement upon written request of the funded agency if (i) no site was selected for the project before the funds were appropriated or (ii) funds were appropriated for advance planning only.

The State Building Commission shall submit a written report to the Joint Legislative Commission on Governmental Operations on the Commission's selection of a designer for a project within 30 days of selecting the designer."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 10th day of April, 1989.