

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 643*

Short Title: Bids/Comply With Federal Transit Law. (Public)

Sponsors: Senators Dannelly; and Clodfelter.

Referred to: Commerce, Small Business and Entrepreneurship.

March 12, 2007

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING POLITICAL SUBDIVISIONS OF THE STATE TO
2 ACCEPT BIDS FROM UNLICENSED GENERAL CONTRACTORS WHEN THE
3 PROJECT IS FINANCED WITH FEDERAL TRANSIT FUNDS AND THE
4 FEDERAL LAW REQUIRES ONLY THAT GENERAL CONTRACTORS MUST
5 BE LICENSED BY THE TIME THE LOCAL GOVERNING BOARD AWARDS
6 THE CONTRACT.
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8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 87-9 reads as rewritten:

10 "**§ 87-9. Compliance with Federal Highway Act, ~~etc~~Federal Transit Act, etc.;**
11 **contracts financed by federal road funds; contracts concerning water or**
12 **waste water systems.**

13 (a) Nothing in this Article shall operate to prevent the Department of
14 Transportation from complying with any act of Congress and any rules and regulations
15 promulgated pursuant thereto for carrying out the provisions of the Federal Highway
16 Act, or shall apply to any person, firm or corporation proposing to submit a bid or enter
17 into contract for any work to be financed in whole or in part with federal aid road funds
18 in such manner as will conflict with any act of Congress or any such rules and
19 regulations promulgated pursuant thereto.

20 (b) Nothing in this Article shall operate to prevent any political subdivision of the
21 State from complying with any act of Congress and any rules, regulations, or other
22 directives promulgated pursuant thereto for carrying out the provisions of the Federal
23 Transit Act, or shall apply to any person, firm, or corporation proposing to submit a bid
24 or enter into contract for any work to be financed in whole or in part with federal transit
25 funds in a manner that will conflict with any act of Congress or any rules, regulations,
26 or other directives promulgated pursuant thereto.

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28 (c) Neither shall anything in this Article prevent the State of North Carolina or
29 any of its political subdivisions or their contractors from complying with any act of

1 Congress and any rules and regulations promulgated pursuant thereto for carrying out
2 the provisions of any federal program to assist in the planning, financing, or
3 construction of drinking water or waste water processing, collection, and disposal
4 systems and facilities."

5 **SECTION 2.** This act is effective when it becomes law.