

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

**SESSION LAW 2014-42
HOUSE BILL 1043**

AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS STUDIED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE.

The General Assembly of North Carolina enacts:

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SECTION 8.(a) There is established a Blue Ribbon Commission to Study the Building and Infrastructure Needs of the State (Commission).

SECTION 8.(b) The Commission shall be composed of 20 members as follows:

- (1) Seven members appointed by the Speaker of the House of Representatives, as follows:
 - a. Three members of the House of Representatives.
 - b. One person upon recommendation of the North Carolina League of Municipalities.
 - c. One member of the public, licensed as an architect in this State.
 - d. One member of the public, licensed as a professional engineer in this State.
 - e. One person upon recommendation of the North Carolina Chamber.
- (2) Seven members appointed by the President Pro Tempore of the Senate, as follows:
 - a. Three members of the Senate.
 - b. One person upon recommendation of the North Carolina County Commissioners Association.
 - c. One person upon recommendation of the North Carolina School Boards Association.
 - d. One member of the public, licensed as a general contractor in this State.
 - e. One member of the public, licensed as an attorney in this State, with experience in infrastructure financing or infrastructure bonds.
- (3) Six members appointed by the Governor, as follows:
 - a. The State Treasurer, or the Treasurer's designee.
 - b. The Secretary of Administration, or the Secretary's designee.
 - c. The President of The University of North Carolina, or the President's designee.
 - d. The President of the North Carolina System of Community Colleges, or the President's designee.
 - e. A member of the State Water Infrastructure Authority.
 - f. The Secretary of the Department of Commerce, or the Secretary's designee.

SECTION 8.(c) The Commission shall study the following matters related to building and infrastructure needs, including new repairs, renovations, expansion, and new construction, in North Carolina:

- (1) The anticipated building construction needs of State agencies, The University of North Carolina, and North Carolina System of Community Colleges until 2025.

- (2) The anticipated water and sewer infrastructure construction needs of counties and cities until 2025.
- (3) The anticipated building needs of the local school boards until 2025.
- (4) The anticipated costs of such building and infrastructure needs.
- (5) A process that would prioritize needs within each infrastructure category and among all categories, with an emphasis on developing criteria that focus on public safety and economic development.
- (6) The feasibility of establishing a building and infrastructure fund, which would be a dedicated source of revenue for capital funding for counties, cities, local school boards, The University of North Carolina, the North Carolina System of Community Colleges, and State agencies.
- (7) Funding options for meeting the anticipated capital needs until 2025.
- (8) Other matters the Commission deems relevant and related.

SECTION 8.(d) The Speaker of the House of Representatives shall designate one Representative as cochair, and the President Pro Tempore of the Senate shall designate one Senator as cochair. The Commission shall meet upon the call of the cochairs. A quorum of the Commission shall be 10 members. Any vacancy on the Commission shall be filled by the appointing authority.

SECTION 8.(e) Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, G.S. 138-5, or G.S. 138-6, as appropriate. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.4. The Commission may meet upon the call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building. With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission.

All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

SECTION 8.(f) The Commission may make an interim report of its findings and recommendations to the 2015 General Assembly and shall make a final report of its findings and recommendations to the 2016 Regular Session of the 2015 General Assembly. The Commission shall terminate on December 31, 2016, or upon the filing of its final report, whichever occurs first.

SECTION 10. Section 8 of this act is effective when it becomes law. The remainder of this act becomes effective October 1, 2014, and applies to contracts awarded on or after that date.

In the General Assembly read three times and ratified this the 26th day of June, 2014.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 4:26 p.m. this 30th day of June, 2014