

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

D

HOUSE BILL 406*
Committee Substitute Favorable 5/6/09
Senate State and Local Government Committee Substitute Adopted 6/3/09
Proposed Conference Committee Substitute H406-PCCS50776-LL-1

Short Title: W.Just.Acad./Wildlife Res. Firing/Arch Range.

(Public)

Sponsors:

Referred to:

March 5, 2009

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE AND THE WILDLIFE
2 RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR
3 CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE
4 OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW
5 ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION, AND
6 OTHERS, AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE
7 FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED
8 ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY
9 SHALL BE AN INDOOR FACILITY.

10
11 The General Assembly of North Carolina enacts:

12 **SECTION 1.(a)** The Department of Justice and the Wildlife Resources
13 Commission may develop jointly a plan for the construction and operation of a firing range on
14 land owned by the Wildlife Resources Commission. The plan may identify a tract of land in the
15 Green River game land approved by the Wildlife Resources Commission for this purpose. The
16 plan may provide for a firing range that can accommodate the needs of the criminal justice
17 officers attending the Western Justice Academy, federal, State, and local agencies, community
18 college law enforcement training, and the law enforcement officers of the Wildlife Resources
19 Commission, as well as provide a facility for hunter safety classes supervised and conducted by
20 the Wildlife Resources Commission. The plan may further provide for a public firing and
21 archery range, open and accessible for public use, to be operated by the Wildlife Resources
22 Commission. The Wildlife Resources Commission, in consultation with the Department of
23 Justice, may present the plan developed pursuant to this section to the Chairs of the Senate and
24 House of Representatives Appropriations Committees on or before April 1, 2010.

25 **SECTION 1.(b)** The Department of Justice and the Wildlife Resources
26 Commission may use receipts and other non-General Fund sources totaling up to the sum of
27 one million dollars (\$1,000,000) to provide additional funding for any project resulting from
28 the plan authorized by this section, in addition to any funds that may be authorized or
29 appropriated for the project by the General Assembly.

30 **SECTION 2.** Subject to the provisions of Section 4 of this act, the firing range
31 currently under contract for construction on the grounds of the Larry T. Justus Western Justice
32 Academy shall be constructed as an indoor facility.



1 **SECTION 3.** Subject to the provisions of Section 4 of this act, funds appropriated
2 to the Department of Justice for the 2007-2009 fiscal biennium for a firing range at the Western
3 Justice Academy shall be used to plan and construct the indoor firing range referred to in
4 Section 2 of this act. The Department of Justice and the State Construction Office of the
5 Department of Administration shall, pursuant to the terms of the contracts, negotiate with the
6 existing contractor and designer of the firing range project for change orders or other
7 amendments to the construction contract in order to construct an indoor facility that can be
8 accommodated within the original budget for the project. Notwithstanding any other provision
9 of law, no public bidding is required in order to negotiate those change orders and amendments,
10 regardless of the size and scope of the necessary changes to the project.

11 **SECTION 4.** If the Department of Justice, in consultation with the State
12 Construction Office, is unable to negotiate reasonable change orders with the existing
13 contractor and designer to construct the project as an indoor facility as required by this act, then
14 any unencumbered funds appropriated to construct the project shall not be expended and,
15 except as otherwise provided in this section, shall be held by the Department of Justice to await
16 additional funding or authorization for a firing range to accommodate the needs of the Western
17 Justice Academy. The Department may use that portion of the unencumbered funds that may
18 be necessary to compensate the contractor and designer of the project for any unpaid sums that
19 have been earned under the contract and for any sums necessary to defray documented reliance
20 costs of the contractor and designer in preparing to perform the contract.

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