

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1746\*

Short Title: State Purchasing System Enhancement.

(Public)

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Sponsors: Representatives Yongue; and Wainwright.

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Referred to: Rules, Calendar, and Operations of the House.

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May 25, 2000

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS TO INCREASE PROFESSIONALISM AND  
2 EFFICIENCIES IN THE STATE PURCHASING PROGRAM BY TRAINING AND  
3 CERTIFYING GOVERNMENT PROCUREMENT PERSONNEL AND BY  
4 EXPANDING THE NUMBER OF PURCHASERS USING THE PROGRAM.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 143-49(6) reads as rewritten:

8 "**§ 143-49. Powers and duties of Secretary.**

9 The Secretary of Administration shall have power and authority, and it shall be his  
10 duty, subject to the provisions of this Article:

11 ...

12 (6) To make available to nonprofit corporations operating charitable  
13 hospitals, to local nonprofit community sheltered workshops or centers  
14 that meet standards established by the Division of Vocational  
15 Rehabilitation of the Department of Health and Human Services, to  
16 private nonprofit agencies licensed or approved by the Department of  
17 Health and Human Services as child placing agencies, residential child-  
18 care facilities, private nonprofit rural, community, and migrant health  
19 centers designated by the Office of Rural Health and Resource  
20 Development, to private higher education institutions that are defined as

1           "institutions" in G.S. 116-22(1), and to counties, cities, towns,  
2           governmental entities and other subdivisions of the State and public  
3           agencies thereof in the expenditure of public funds, the services of the  
4           Department of Administration in the purchase of materials, supplies and  
5           equipment under such rules, regulations and procedures as the Secretary  
6           of Administration may adopt. In adopting rules and regulations any or  
7           all provisions of this Article may be made applicable to such purchases  
8           and contracts made through the Department of Administration, and in  
9           addition the rules and regulations shall contain a requirement that  
10           payment for all such purchases be made in accordance with the terms of  
11           the contract. Prior to adopting rules and regulations under this  
12           subdivision, the Secretary of Administration may consult with the  
13           Advisory Budget Commission.

14           ...."

15           Section 2. Article 3 of Chapter 143 is amended by adding a new section to  
16 read:

17 **"§ 143-48.3. Purchasing certification program.**

18           (a) Policy. – It is the policy of this State to encourage and promote professionalism  
19           in government procurement, and as a result, reduce the cost of obtaining goods and  
20           services. It is essential that State and local procurement staff receive the training and  
21           certification necessary to provide for the effective and economical acquisition,  
22           management, and disposition of goods and services.

23           (b) Implementation of Certification Program. – The Division of Purchase and  
24           Contract in the Department of Administration shall develop and implement a purchasing  
25           certification program for the procurement staff of all State departments, institutions,  
26           agencies, community colleges, and local school administrative units. The program shall  
27           include training appropriate for the various levels of purchasing conducted statewide and  
28           by various size procurement offices.

29           The Secretary of Administration shall determine whether and to what extent persons  
30           in procurement offices require training, based on their responsibilities.

31           (c) Cooperation of Participating Agencies. – All State departments, institutions,  
32           agencies, community colleges, and local school administrative units shall cooperate with  
33           the Department of Administration in its effort to provide quality training to the  
34           purchasing staff and shall ensure that employees responsible for procurement participate  
35           in this purchasing certification program."

36           Section 3. There is appropriated from the General Fund to the Department of  
37 Administration, Division of Purchase and Contract, the sum of twenty-five thousand  
38 dollars (\$25,000) for the 2000-2001 fiscal year to implement the provisions of this act.

39           Section 4. Section 3 of this act becomes effective July 1, 2000. The remainder  
40 of this act is effective when it becomes law. The Secretary of Administration may adopt  
41 temporary rules in accordance with Chapter 150B of the General Statutes to implement  
42 G.S. 143-49(6), as rewritten by Section 1 of this act and G.S. 143-48.3, as enacted by  
43 Section 2 of this act.