

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1227

Short Title: State Purchasing System Enhancement.

(Public)

Sponsors: Senators Plyler; Dalton, Lee, Odom, Perdue, and Purcell.

Referred to: Finance.

May 15, 2000

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

... (6)

To make available to nonprofit corporations operating charitable hospitals, to local nonprofit community sheltered workshops or centers that meet standards established by the Division of Vocational Rehabilitation of the Department of Health and Human Services, to private nonprofit agencies licensed or approved by the Department of Health and Human Services as child placing agencies, residential child-care facilities, private nonprofit rural, community, and migrant health centers designated by the Office of Rural Health and Resource 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.