

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 141

Commerce Committee Substitute Adopted 2/26/97

Commerce Committee Substitute No. 2 Adopted 3/25/97

Short Title: Purchase & Contract Exemptions.

(Public)

Sponsors:

Referred to:

February 17, 1997

A BILL TO BE ENTITLED

AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.

The General Assembly of North Carolina enacts:

Section 1. G. S. 143B-465 reads as rewritten:

"§ 143B-465. Purchase of supplies, material and equipment and building contracts.

All of the provisions of Article 3 of Chapter 143 of the General Statutes relating to the purchase of supplies, material and equipment by the State government are hereby made applicable to the North Carolina State Ports Authority. All of the provisions of Chapter 143 of the General Statutes relating to public building contracts are hereby made applicable to the North Carolina State Ports Authority for those construction projects which may be funded, in whole or in part, by appropriations from the General Assembly.

The following general laws, to the extent provided below, do not apply to the North Carolina State Ports Authority:

- (1) Article 3 of Chapter 143 of the General Statutes does not apply to contracts for supplies, materials, equipment, and contractual services of the Authority, but, with respect to these contracts, the powers and duties established in that Article shall be exercised by the Authority, and the Secretary of Administration and other State officers.

1 employees, or agencies shall have no duties or responsibilities
2 concerning the contracts.

3 (2) Article 8 of Chapter 143 of the General Statutes does not apply to
4 public building contracts of the Authority, but, with respect to these
5 contracts, the powers and duties established in that Article shall be
6 exercised by the Authority, and the Secretary of Administration and
7 other State officers, employees, or agencies shall have no duties or
8 responsibilities concerning the contracts.

9 (3) G.S. 143-341(3) shall not apply to the plans and specifications for
10 construction or renovation authorized by the North Carolina State
11 Ports Authority.

12 Notwithstanding the other provisions of this section, the services of the Department
13 of Administration may be made available to the Authority, when requested by the
14 Authority, with regards to matters governed by Articles 3 and 8 of Chapter 143 of the
15 General Statutes and G.S. 143-341(3). The Authority shall report quarterly to the Joint
16 Legislative Commission on Governmental Operations on any purchases or building
17 contracts exceeding two hundred fifty thousand dollars (\$250,000) to which this
18 exemption is applied."

19 Section 2. G.S. 113-315.36 reads as rewritten:

20 "**§ 113-315.36. Purchase of supplies, material and ~~equipment.~~ equipment and**
21 **building contracts.**

22 All the provisions of Article 3 of Chapter 143 of the General Statutes relating to the
23 purchase of supplies, material and equipment by the State government are hereby made
24 applicable to the North Carolina Seafood Industrial Park Authority.

25 The following general laws, to the extent provided below, do not apply to the North
26 Carolina Seafood Industrial Park Authority:

27 (1) Article 3 of Chapter 143 of the General Statutes does not apply to
28 contracts for supplies, materials, equipment, and contractual services
29 of the Authority, but, with respect to these contracts, the powers and
30 duties established in that Article shall be exercised by the Authority,
31 and the Secretary of Administration and other State officers,
32 employees, or agencies shall have no duties or responsibilities
33 concerning the contracts.

34 (2) Article 8 of Chapter 143 of the General Statutes does not apply to
35 public building contracts of the Authority, but, with respect to these
36 contracts, the powers and duties established in that Article shall be
37 exercised by the Authority, and the Secretary of Administration and
38 other State officers, employees, or agencies shall have no duties or
39 responsibilities concerning the contracts.

40 (3) G.S. 143-341(3) shall not apply to the plans and specifications for
41 construction or renovation authorized by the North Carolina Seafood
42 Industrial Park Authority.

43 Notwithstanding the other provisions of this section, the services of the Department
44 of Administration may be made available to the Authority, when requested by the

1 Authority, with regards to matters governed by Articles 3 and 8 of Chapter 143 of the
2 General Statutes and G.S. 143-341(3). The Authority shall report quarterly to the Joint
3 Legislative Commission on Governmental Operations on any purchases or building
4 contracts exceeding two hundred fifty thousand dollars (\$250,000) to which this
5 exemption is applied."

6 Section 3. The County of Davie may contract for the design and construction
7 of jail and law enforcement facilities without being subject to the requirements of G.S.
8 143-128, 143-129, 143-131, and 143-132.

9 Section 4. This act is effective when it becomes law, and shall expire July 1,
10 2002.