

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**SENATE DRS85113-RI-5 (02/01)**

Short Title: Exempt Zoo from Procurement Process. (Public)

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Sponsors: Senator Brunstetter.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO EXEMPT THE PURCHASE OF SUPPLIES, MATERIALS, AND EQUIPMENT BY THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE PURCHASE AND CONTRACT REQUIREMENTS OF ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES, AND TO REQUIRE THE NORTH CAROLINA ZOOLOGICAL PARK COUNCIL TO ESTABLISH POLICIES AND REGULATIONS GOVERNING THE PURCHASE AND CONTRACT REQUIREMENTS APPLICABLE TO THE NORTH CAROLINA ZOOLOGICAL PARK.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-56 reads as rewritten:

**"§ 143-56. Certain purchases excepted from provisions of Article.**

(a) Unless as may otherwise be ordered by the Secretary of Administration, the purchase of supplies, materials and equipment through the Secretary of Administration shall be mandatory in the following cases:

- (1) Published books, manuscripts, maps, pamphlets and periodicals.
- (2) Perishable articles such as fresh vegetables, fresh fish, fresh meat, eggs, and others as may be classified by the Secretary of Administration.

(b) Purchase through the Secretary of Administration shall not be mandatory for information technology purchased in accordance with Article 3D of Chapter 147 of the General Statutes, for a purchase of supplies, materials or equipment for the General Assembly if the total expenditures is less than the expenditure benchmark established under the provisions of G.S. 143-53.1, for group purchases made by hospitals through a competitive bidding purchasing program, as defined in G.S. 143-129, by the University of North Carolina Health Care System pursuant to G.S. 116-37(h), by the University of North Carolina Hospitals at Chapel Hill pursuant to G.S. 116-37(a)(4), by the

1 University of North Carolina at Chapel Hill on behalf of the clinical patient care  
2 programs of the School of Medicine of the University of North Carolina at Chapel Hill  
3 pursuant to G.S. 116-37(a)(4), ~~or~~ by East Carolina University on behalf of the Medical  
4 Faculty Practice Plan pursuant to ~~G.S. 116-40.6(e)~~. G.S. 116-40.6(c), or by the North  
5 Carolina Zoological Park pursuant to G.S. 143B-335.

6 (c) All purchases of the above articles made directly by the departments,  
7 institutions and agencies of the State government shall, whenever possible, be based on  
8 competitive bids. Whenever an order is placed or contract awarded for such articles by  
9 any of the departments, institutions and agencies of the State government, a copy of  
10 such order or contract shall be forwarded to the Secretary of Administration and a  
11 record of the competitive bids upon which it was based shall be retained for inspection  
12 and review."

13 **SECTION 2.** G.S. 143B-335 is amended by adding a new subdivision to  
14 read:

15 "(8) Notwithstanding the provisions of Articles 3, 3A, and 3C of Chapter  
16 143 of the General Statutes, to establish, with the approval of the  
17 Secretary of Environment and Natural Resources, policies and  
18 regulations that govern the purchase and contract requirements of the  
19 North Carolina Zoological Park. These policies and regulations shall  
20 provide for requests for proposals, competitive bidding, or purchasing  
21 by means other than competitive bidding, contract negotiations, and  
22 contract awards for purchasing supplies, materials, equipment, and  
23 services that are necessary and appropriate to fulfill the mission of the  
24 North Carolina Zoological Park. The Council shall submit all policies  
25 and regulations and changes to policies and regulations adopted  
26 pursuant to this subdivision to the Division of Purchase and Contract  
27 of the Department of Administration for review and comment. Any  
28 comments by the Division of Purchase and Contract shall be submitted  
29 to the Chairman of the Council and to the Secretary of Environment  
30 and Natural Resources."

31 **SECTION 3.** Section 1 of this act becomes effective 1 January 2008. The  
32 remainder of this act is effective when it becomes law.