

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 692
HOUSE BILL 1116

AN ACT TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO COOPERATE IN EFFORTS TO PROMOTE THE USE OF SMALL, MINORITY, PHYSICALLY HANDICAPPED AND WOMEN CONTRACTORS IN PUBLIC CONSTRUCTION AND PURCHASING CONTRACTS.

Whereas, the most basic and important element of the American economic system of free enterprise is free and vigorous competition; and

Whereas, such free and vigorous competition increases personal initiative and individual achievement; and

Whereas, the majority of businesses in North Carolina are small in size or are owned by minorities, the physically handicapped or by women; and

Whereas, many small, minority, physically handicapped and women contractors able to perform the work and supply the materials specified in public contracts are unable to obtain such contracts; and

Whereas, encouraging and promoting the use of small, minority, physically handicapped and women contractors in performing the work or supplying the materials specified in public contracts would serve to stimulate free and vigorous competition in North Carolina and is therefore in the best interest of the State and its citizens; and

Whereas, the effective encouragement and promotion of the use of small, minority, physically handicapped and women contractors in State purchases and construction projects necessitates active cooperation among State agencies, institutions and political subdivisions in efforts to accomplish this purpose; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Article 8 of General Statutes Chapter 143 is amended by adding a section to read:

"§ 143-135.5. State policy; cooperation in promoting the use of small, minority, physically handicapped and women contractors; purpose. – It is the policy of this State to encourage and promote the use of small, minority, physically handicapped and women contractors in State construction projects. All State agencies, institutions and political subdivisions shall cooperate with the Department of Administration and all other State agencies, institutions and political subdivisions in efforts to encourage and promote the use of small, minority, physically handicapped and women contractors in achieving the purpose of this Article, which is the effective and economical construction of public buildings."

Sec. 2. G.S. 143-48 is rewritten to read:

"§ 143-48. State policy; cooperation in promoting the use of small, minority, physically handicapped and women contractors; purpose. – It is the policy of this State to encourage and promote the use of small, minority, physically handicapped and women contractors in State purchasing of goods and services. All State agencies, institutions and political subdivisions shall cooperate with the Department of Administration and all other State agencies, institutions and political subdivisions in efforts to encourage the use of small, minority, physically handicapped and women contractors in achieving the purpose of this Article, which is to provide for the effective and economical acquisition, management and disposition of goods and services by and through the Department of Administration."

Sec. 3. Article 2 of General Statutes Chapter 136 is amended by adding a section to read:

"§ 136-28.4. State policy; cooperation in promoting the use of small, minority, physically handicapped and women contractors. – It is the policy of this State to encourage and promote the use of small, minority, physically handicapped and women contractors in the construction, alteration and maintenance of State roads, streets, highways, and bridges and in the procurement of materials for such projects. All State agencies, institutions and political subdivisions shall cooperate with the Department of Transportation and all other State agencies, institutions and political subdivisions in efforts to encourage and promote the use of small, minority, physically handicapped and women contractors in such State construction, alteration, maintenance and procurement."

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of July, 1983.