

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1993**

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HOUSE BILL 871\*

Short Title: MWBE Study/Constr./Purchasing.

(Public)

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Sponsors: Representatives Michaux, Fitch, Barnhill, Braswell, D. Brown, Burton, Cummings, Cunningham, Gist, Green, H. Hunter, Kennedy, Kinney, McAllister, Oldham, Wainwright, and Wright.

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Referred to: Appropriations.

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April 12, 1993

A BILL TO BE ENTITLED

1 AN ACT TO STUDY MINORITY AND WOMEN-OWNED BUSINESS  
2 PARTICIPATION IN THE STATE'S OVERALL PROCUREMENT, CONTRACT,  
3 AND CONSTRUCTION PROGRAMS.  
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5 Whereas, a recent study has shown a significant disparity in awarding of  
6 highway construction and preconstruction contracts to minority and women-owned  
7 businesses; and

8 Whereas, determining whether such a disparity within the North Carolina  
9 marketplace and in contracts for other construction and for State purchasing exists is  
10 necessary for a legislative determination as to whether remedies need to be fashioned to  
11 ensure that all have equal access to the contracting and procurement process; Now,  
12 therefore,

13 The General Assembly of North Carolina enacts:

14 Section 1. There is appropriated from the General Fund to the General  
15 Assembly for fiscal year 1993-94 the sum of one million one hundred seventy-five  
16 thousand dollars (\$1,175,000) to study minority and women-owned business contract  
17 disparity for:

- 18 (1) Construction contracts awarded by the State Construction Office, the  
19 Emergency Prison contracts in the Governor's office, and small (less  
20 than fifty thousand dollars (\$50,000)) construction contracts in all  
21 State agencies, The University of North Carolina System, and  
22 community colleges, with a time frame of the 10 past years for major

- 1 construction projects and three to five past years for the small  
2 construction contracts;
- 3 (2) Purchasing and contracts by State agencies (including The University  
4 of North Carolina System, community colleges, and the Real Estate  
5 Acquisitions Component of the State Property Office) but not  
6 including:
- 7 a. Public schools and local governments;
- 8 b. Purchases made by nonprofit and other public agencies which  
9 receive money from the State but which are not State agencies;  
10 and
- 11 c. Purchases with non-State funds such as by University  
12 foundations.
- 13 The time period for purchasing is the 10 past years.
- 14 (3) Availability data on the North Carolina marketplace shall be included  
15 at least at the county level and may be made available by the State to  
16 units of local government.
- 17 Sec. 2. This act becomes effective July 1, 1993.