



HOUSE BILL 661: AgeReq.Mod's/CapProj.Oversight/BEAD correct.

2021-2022 General Assembly

Committee:	Senate Commerce and Insurance. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 29, 2022
Introduced by:	Reps. Moffitt, Pless, Miller, Gillespie	Prepared by:	Bill Patterson
Analysis of:	PCS to First Edition H661-CSTG-55		Committee Co-Counsel

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 661 would do all of the following:*

- Clarify that qualified youth 15 and older may enroll in fire training courses at community colleges.
- Reduce the age requirement for malt beverage wholesaler salesmen from 21 to 18.
- Temporarily allow 15-year-olds to work inside premises that serve alcohol.
- Remove the State Building Commission and Budget Director sign-off of for individual community college campuses that have been delegated authority to manage certain capital improvement projects.
- Require the Department of Administration to examine and approve all plans and specifications for community college construction or repair projects costing less than \$2 million delegated to an individual campus, upon a written request for assistance.
- Remove a requirement that the Community Colleges System Office report to the State Building Commission for projects under \$2 million that have been delegated to a community college by the State Board of Community Colleges.
- Make a technical correction to the 2022 Appropriations Act relating to the Department of Information Technology use of federal infrastructure funds for grants in the Broadband Equity, Access, and Deployment Program ("B.E.A.D.").

CURRENT LAW and BILL ANALYSIS:

Section 1

Under G.S. 95-25.5, youth under 18 cannot be employed by any employer in any occupation without a youth employment certificate unless specifically exempted by law. Numerous exemptions are provided in the statute based on age, type of work, and hours of work. Qualified youth under the age of 18 are allowed to participate in training through their fire department, the Office of the State Fire Marshal, and the North Carolina Community College System. "Qualified youth under the age of 18" means an uncompensated fire department or rescue squad member who is at least the age of 15 and under the age of 18 and who is a member of a bona fide fire department or rescue squad.

G.S. 115D-20(4) sets forth when students less than 16 can take courses at community colleges.

Jeffrey Hudson
Director



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Section 1 of the PCS for House Bill 661 would clarify that qualified youth 15 and older can enroll in courses, including certification-eligible courses, in fire training at a community college on a specialized course list approved by the State Board of Community Colleges.

This section would be effective when it becomes law and apply to any courses, including certification-eligible courses, a qualified youth enrolls in on or after January 1, 2021.

Section 2

G.S. 18B-1111 requires all salesmen for a beer and wine wholesaler to have a salesman permit. Currently, a person must be 21 years of age or older to be issued a salesman permit.

Section 2 of the PCS would reduce the required age to be issued a salesman permit from 21 to 18 years of age.

Section 3

G.S. 95-25.5(j) prohibits ABC permittees from employing anyone under the age of 18 to "prepare, serve, dispense or sell any alcoholic beverages...except for sale of alcoholic beverages at the point-of-sale for only off-premises consumption." Additionally, no one under 14 may work at an ABC permittee that serves alcohol for on-premises consumption, and youth ages 14 and 15 may only work with the written consent of a parent or guardian and "on the outside grounds of the premises for a purpose that does not involve preparation, serving, dispensing, or sale of alcoholic beverages."

Section 3 of the PCS would temporarily allow a 15 year old to work inside an ABC permittee premises that allows on-premises consumption, but would not allow the youth to prepare, serve, dispense, or sell alcohol except at point-of-sale for off-premises consumption.

This section would be effective when it becomes law and expire December 31, 2023.

Section 4

G.S. 115D-9:

- Requires a community college to meet guidelines adopted by the State Board of Community Colleges and approved by the State Building Commission and the Director of the Budget, before the Board can delegate its authority to the college for State-funded property developments of the North Carolina Community College System costing less than \$4 million.
- Requires the Community Colleges System Office to report to the State Building Commission by October 1 of each year a list of projects governed by this section, the estimated and actual cost of each, the name of each person awarded a contract under this section, and whether that person is a minority business or minority person as statutorily defined.
- Provides that if the State Board of Community Colleges determines that a community college has the expertise necessary to manage a capital improvement project funded with non-State funds, the project's plans and specifications are not subject to review and approval by the Department of Administration prior to the awarding of a contract under G.S. 143-341(3), unless the assistance of the Office of State Construction is requested.

Section 4 of the PCS would:

- Amend G.S. 115D-9 to eliminate the requirement that the State Building Commission and Director of the Budget approve the guidelines adopted by the State Board of Community Colleges that must a community college must meet in order to be delegated authority for a capital improvement project.

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- Limit the annual reporting obligation of the Community Colleges System Office to projects costing \$2 million or more funded with public money.
- Eliminate the requirement for review and approval of all plans and specifications by the Department of Administration for State funded projects costing less than \$2 million that have been delegated to a community college by the State Board of Community Colleges, unless the assistance of the Office of State Construction is requested.

Section 5

G.S. 143-341(3) requires the Department of Administration to review and approve all plans and specifications for construction or renovation of all community college buildings requiring the estimated expenditure of \$2 million or more in public money before awarding a contract for such work, and to review and approve all changes in those plans and specifications after the contract is awarded.

Section 5 of the PCS would provide that upon written request from the State Board of Community Colleges, the Department of Administration must review and approve all plans and specifications for construction or renovation of community college buildings requiring the estimated expenditure of less than \$2 million in public money, and must review and approve all changes in those plans and specifications after the contract is awarded.

Section 6 of the PCS would provide that if House Bill 103 (the 2022 Appropriations Act) becomes law, the Department of Information Technology is authorized to use up to three percent of initial federal funds received under the Broadband, Equity, Access, and Deployment Program ("B.E.A.D.") for planning purposes, and to use up to two percent of initial B.E.A.D. funds for administrative purposes.

EFFECTIVE DATE: Except as otherwise provided, this bill would be effective when it becomes law.

**LAD Staff Attorneys Drupti Chauhan and Susan Sitze substantially contributed to this summary.*