



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

2021-2022 General Assembly

<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	June 30, 2022
<b>Introduced by:</b>	Reps. Moffitt, Pless, Miller, Gillespie	<b>Prepared by:</b>	Bill Patterson
<b>Analysis of:</b>	Second Edition		Committee Co-Counsel

## OVERVIEW: 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.
- Eliminate a requirement that the State Building Commission and Director of the Budget approve guidelines adopted by the State Board of Community Colleges for community colleges to which the Board has delegated authority over a capital improvement project.
- Provide that the Department of Administration is not required to review and approve plans and specifications for capital improvement projects costing less than \$2 million that are delegated to a community college unless it has received a written request to do so from the State Board of Community Colleges.
- Eliminate an annual reporting obligation of the Community Colleges System Office for projects having an estimated required expenditure of public funds of less than \$2 million.
- 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.

Section 1 of the bill 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.

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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 bill 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 bill 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 requiring the estimated expenditure of public money of \$4 million or less.
- 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 bill 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 a community college must meet in order to be delegated authority for a capital improvement project.
- Eliminate the annual reporting obligation of the Community Colleges System Office for projects having an estimated required expenditure of public funds of less than \$2 million.

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- Exempt State funded capital improvement projects costing less than \$2 million that are delegated to a community college by the State Board of Community Colleges from required review and approval of plans and specifications by the Department of Administration.

## **Section 5**

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

Section 5 of the bill 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 bill 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.*