

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

2

HOUSE BILL 661
Senate Commerce and Insurance Committee Substitute Adopted 6/30/22

Short Title: AgeReq.Mod's/CapProj.Oversight/BEAD correct.

(Public)

Sponsors:

Referred to:

April 26, 2021

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT QUALIFIED YOUTH FIFTEEN YEARS OF AGE AND OLDER MAY ENROLL IN COURSES IN FIRE TRAINING AT COMMUNITY COLLEGES, TO REDUCE THE REQUIRED AGE FOR BEER AND WINE WHOLESALE SALES TO EIGHTEEN, TO MAKE A TEMPORARY CHANGE TO THE YOUTH EMPLOYMENT PROVISIONS OF THE WAGE AND HOUR ACT TO ALLOW FIFTEEN YEAR OLD WORKERS TO BE EMPLOYED IN CERTAIN ESTABLISHMENTS AFFECTED BY LABOR SHORTAGES, UNTIL DECEMBER 31, 2023, TO ENABLE THE STATE BOARD OF COMMUNITY COLLEGES TO STREAMLINE DELEGATION OF CERTAIN CAPITAL PROJECTS TO COMMUNITY COLLEGE CAMPUSES, TO ESTABLISH A PROCEDURE FOR THE DEPARTMENT OF ADMINISTRATION TO ASSIST COMMUNITY COLLEGES WITH PROJECTS UPON REQUEST, AND TO MAKE A TECHNICAL CORRECTION TO PROVISIONS IN THE 2022 APPROPRIATIONS ACT RELATING TO THE USE OF FEDERAL INFRASTRUCTURE BROADBAND FUNDS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 115D-20(4) is amended by adding a new sub-subdivision to read:

"e. Notwithstanding any other provision of this subdivision, qualified youth 15 years and older may be permitted to enroll in courses, including certification-eligible courses, in fire training pursuant to G.S. 95-25.5(n) and on a specialized course list approved by the State Board of Community Colleges in accordance with G.S. 115D-5(b)(2)."

SECTION 1.(b) G.S. 95-25.5(n) reads as rewritten:

"(n) Nothing in this section prohibits qualified youths under 18 years of age from participating in training through their fire department, the Office of State Fire Marshal, or the North Carolina Community College System. As used in this subsection, the term "qualified youth under 18 years of age" 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, as that term is defined in ~~G.S. 58-86-25~~, G.S. 58-86-2(4), or of a rescue squad described in ~~G.S. 58-86-30~~. G.S. 58-86-2(6). A qualified youth under 18 years of age under this subsection may be permitted to 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 pursuant to G.S. 115D-20(4)e."



1 **SECTION 1.(c)** This section is effective when it becomes law and applies to any
2 courses, including certification-eligible courses, a qualified youth enrolls in on or after January
3 1, 2021.

4 **SECTION 2.** G.S. 18B-1111(b) reads as rewritten:

5 "(b) Persons Required to Obtain Permit. – All route salesmen and salesmen working at a
6 wholesaler's warehouse shall obtain the permit described in this section. All salesmen shall be at
7 least ~~24~~18 years old."

8 **SECTION 3.(a)** G.S. 95-25.5(j) reads as rewritten:

9 "(j) No person who holds any ABC permit issued pursuant to the provisions of Chapter
10 18B of the General Statutes for the on-premises sale or consumption of alcoholic beverages,
11 including any mixed beverages, shall employ a youth:

12 (1) Under ~~16~~15 years of age on the premises for any purpose, unless the youth is
13 at least 14 years of age and each of the following conditions is met:

14 a. The person obtains the written consent of a parent or guardian of the
15 youth.

16 b. The youth is employed to work on the outside grounds of the premises
17 for a purpose that does not involve the preparation, serving,
18 dispensing, or sale of alcoholic beverages.

19 (2) Under 18 years of age to prepare, serve, dispense or sell any alcoholic
20 beverages, including mixed beverages, except for sale of alcoholic beverages
21 at the point-of-sale for only off-premises consumption."

22 **SECTION 3.(b)** This section is effective when it becomes law and expires December
23 31, 2023.

24 **SECTION 4.** G.S. 115D-9 reads as rewritten:

25 "**§ 115D-9. Powers of State Board regarding certain fee negotiations, contracts, and capital**
26 **improvements.**

27 (a) The expenditures of any State funds for any capital improvements of existing
28 institutions shall be subject to the prior approval of the State Board of Community Colleges and
29 the Governor. The expenditure of State funds at any institution herein authorized to be approved
30 by the State Board under G.S. 115D-4 shall be subject to the terms of the State Budget Act unless
31 specifically otherwise provided in this Chapter.

32 (b) Notwithstanding G.S. 143-341(3), the State Board of Community Colleges may, with
33 respect to design, construction, repair, or renovation of buildings, utilities, and other State-funded
34 property developments of the North Carolina Community College System requiring the estimated
35 expenditure of public money of four million dollars (\$4,000,000) or less:

36 (1) Conduct the fee negotiations for all design contracts and supervise the letting
37 of all construction and design contracts.

38 (2) Develop procedures governing the responsibilities of the North Carolina
39 Community College System and its community colleges to perform the duties
40 of the Department of Administration and the Director or Office of State
41 Construction under G.S. 133-1.1(d) and G.S. 143-341(3).

42 (3) Use existing plans and specifications for construction projects, where feasible.
43 Prior to designing a project, the State Board shall consult with the Department
44 of Administration on the availability of existing plans and specifications and
45 the feasibility of using them for a project.

46 (c) The State Board may delegate its authority under subsection (b) of this section to a
47 community college if the community college is qualified under guidelines adopted by the State
48 ~~Board and approved by the State Building Commission and the Director of the Budget Board.~~

49 (d) The North Carolina Community College System shall use the standard contracts for
50 design and construction currently in use for State capital improvement projects by the Office of
51 State Construction of the Department of Administration.

1 (e) A contract may not be divided for the purpose of evading the monetary limit under
2 this section.

3 (f) Notwithstanding any other provision of this Chapter, the Department of
4 Administration shall not be the awarding authority for contracts awarded under subsections (b)
5 or (c) of this section.

6 (g) ~~The~~ For projects two million dollars (\$2,000,000) or more, funded with public money,
7 the Community Colleges System Office shall report no later than October 1 of each year to the
8 State Building Commission the following:

- 9 (1) A list of projects governed by this section.
- 10 (2) The estimated cost of each project along with the actual cost.
- 11 (3) The name of each person awarded a contract under this section.
- 12 (4) Whether the person or business awarded a contract under this section meets
13 the definition of "minority business" or "minority person" as defined in
14 G.S. 143-128.2(g).

15 (h) The provisions of G.S. 143-341(3) shall not apply to a capital improvement project
16 funded with non-State funds or for projects less than two million dollars (\$2,000,000) that have
17 been delegated pursuant to subsection (c) of this section if the State Board of Community
18 Colleges determines that the college has the expertise necessary to manage the project unless the
19 assistance of the Office of State Construction is requested."

20 **SECTION 5.** G.S. 143-341 reads as rewritten:

21 "**§ 143-341. Powers and duties of Department.**

22 The Department of Administration has the following powers and duties:

- 23 ...
- 24 (3) Architecture and Engineering:
 - 25 a. To examine and approve all plans and specifications for the
26 construction or renovation of the following:
 - 27 ...
 - 28 2. All community college buildings meeting one of the following
29 criteria:
 - 30 I. A project requiring the estimated expenditure of public
31 money for construction or repair work of two million
32 dollars (\$2,000,000) or more prior to the awarding of a
33 contract for such work; and to examine and approve all
34 changes in those plans and specifications made after the
35 contract for such work has been awarded.
 - 36 II. Upon receipt of a written request from the State Board
37 of Community Colleges, a project requiring the
38 estimated expenditure of public money for construction
39 or repair work of less than two million dollars
40 (\$2,000,000) prior to the awarding of a contract for
41 such work; and to examine and approve all changes in
42 those plans and specifications made after the contract
43 for such work has been awarded.

44"

45 **SECTION 6.(a)** If House Bill 103, 2021 Regular Session, becomes law, then Section
46 38.4(b) of that act reads as rewritten:

47 "**SECTION 38.4.(b)** The Department of Information Technology shall incorporate the intent
48 of the General Assembly as described in subsection (a) of this section in any proposal or
49 application for funding under the federal Infrastructure Investment and Jobs Act (P.L. 117-58)
50 for grants in the Broadband Equity, Access, and Deployment Program (B.E.A.D.) and the
51 Enabling Middle Mile Broadband Infrastructure Program. ~~Federal~~ Of the initial federal B.E.A.D.

1 funds received under the federal Infrastructure Investment and Jobs Act (P.L. 117-58) for
2 broadband ~~programs~~ programs, the Department of Information Technology may utilize (i) up to
3 three percent (3%) of initial B.E.A.D. grant funds for planning purposes and (ii) up to two percent
4 (2%) of initial B.E.A.D. grant funds for administrative purposes, and these funds are hereby
5 appropriated for those purposes. All other funds received under the federal Infrastructure
6 Investment and Jobs Act shall remain unexpended until appropriated by an act of the General
7 Assembly."

8 **SECTION 6.(b)** This section becomes effective July 1, 2022.

9 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes
10 law.