

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**HOUSE BILL 661
RATIFIED BILL**

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 SALESMEN 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."

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

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



"(b) Persons Required to Obtain Permit. – All route salesmen and salesmen working at a wholesaler's warehouse shall obtain the permit described in this section. All salesmen shall be at least ~~21~~18 years old."

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

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

- (1) Under ~~16~~15 years of age on the premises for any purpose, unless the youth is at least 14 years of age and each of the following conditions is met:
 - a. The person obtains the written consent of a parent or guardian of the youth.
 - b. The youth is employed to work on the outside grounds of the premises for a purpose that does not involve the preparation, serving, dispensing, or sale of alcoholic beverages.
- (2) Under 18 years of age to prepare, serve, dispense or sell any alcoholic beverages, including mixed beverages, except for sale of alcoholic beverages at the point-of-sale for only off-premises consumption."

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

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

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

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

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

- (1) Conduct the fee negotiations for all design contracts and supervise the letting of all construction and design contracts.
- (2) Develop procedures governing the responsibilities of the North Carolina Community College System and its community colleges to perform the duties of the Department of Administration and the Director or Office of State Construction under G.S. 133-1.1(d) and G.S. 143-341(3).
- (3) Use existing plans and specifications for construction projects, where feasible. Prior to designing a project, the State Board shall consult with the Department of Administration on the availability of existing plans and specifications and the feasibility of using them for a project.

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

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

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

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

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

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

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

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

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

The Department of Administration has the following powers and duties:

...

(3) Architecture and Engineering:

- a. To examine and approve all plans and specifications for the construction or renovation of the following:

...

2. All community college buildings meeting one of the following criteria:

I. A project requiring the estimated expenditure of public money for construction or repair work of two million dollars (\$2,000,000) or more prior to the awarding of a contract for such work; and to examine and approve all changes in those plans and specifications made after the contract for such work has been awarded.

II. Upon receipt of a written request from the State Board of Community Colleges, a project requiring the estimated expenditure of public money for construction or repair work of less than two million dollars (\$2,000,000) prior to the awarding of a contract for such work; and to examine and approve all changes in those plans and specifications made after the contract for such work has been awarded.

...."

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

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

three percent (3%) of initial B.E.A.D. grant funds for planning purposes and (ii) up to two percent (2%) of initial B.E.A.D. grant funds for administrative purposes, and these funds are hereby appropriated for those purposes. All other funds received under the federal Infrastructure Investment and Jobs Act shall remain unexpended until appropriated by an act of the General Assembly."

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

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

In the General Assembly read three times and ratified this the 1st day of July, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2022