

March 4, 1999

**H 239. COMMUNITY COLLEGE PROPERTY TRANSFER. TO ALLOW PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES.** Adds new GS 153A-158.2 providing that a county may (upon the request of the board of trustees of the community college in the county and after a public hearing) acquire property by any lawful means (including eminent domain) for use by the community college and may construct, equip, expand, improve, repair, etc., such property for the community college, and may sell, lease, or otherwise dispose of property to the community college, for any price and on any terms negotiated by the county commissioners and the trustees. Adds new GS 115D-15.1 authorizing the trustees to take property from the county on any terms the commissioners and trustees agree to (subject to approval by the State Board of Community Colleges) and (in connection with additions, renovations, improvements, or repairs) to sell, lease, or otherwise dispose of property to the county as agreed to by the commissioners and the trustees, provided that the agreement requires the county to transfer the property back to the college after any additions, improvements, renovations, or repairs are completed. Specifies that the county's obligation under such a contract shall be the responsibility of the county and not the responsibility of the board of trustees.

**Intro. by Haire and Tolson.**

Ref. to Ways & Means

GS 153A, 115D

April 1, 1999

**H 239. COMMUNITY COLLEGE PROPERTY TRANSFERS.** Intro. 3/4/99. House committee substitute makes the following changes to 1st edition. Rewrites title to read, *TO AMEND THE LAW GOVERNING PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES*. Clarifies that reference to power of eminent domain relates only to real property and makes other clarifying changes. Provides that if the county entered into a financing agreement to finance the additions, improvement, renovations, and repairs, the requirement that the county transfer property back to the board of trustees of the community college arises when the financing agreement has been satisfied. Requires that actions of a board of trustees of a community college taken pursuant to the new section on disposition, acquisition, and construction of property are subject to the approval of the State Board of Community Colleges (deleting, "to the extent this approval is required by law"). Effective Jan. 1, 2000, repeals various session laws that authorize property transfers under provisions similar to those in the act, for the following counties: Gaston, Greene, Halifax, Harnett, Montgomery, Nash, Sampson, and Wilson. Specifies that the repeal shall not be construed to alter any agreements entered into before the effective date.