

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 656
PROPOSED COMMITTEE SUBSTITUTE H656-PCS40561-BE-21

Short Title: College of Albemarle/Construction Funds.

(Public)

Sponsors:

Referred to:

April 11, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FLEXIBILITY TO THE COLLEGE OF THE ALBEMARLE IN
3 USING STATE FUNDS TO ENTER INTO CERTAIN CONSTRUCTION PROJECTS
4 FOR EDUCATIONAL FACILITIES WITH THE COUNTIES SERVED BY THE
5 COMMUNITY COLLEGE.

6 Whereas, the College of the Albemarle is in need of new facilities to educate and
7 prepare adult and high school students in northeastern North Carolina for the economic
8 enhancement of the region, to promote the transfer of students to four-year baccalaureate
9 degree programs, and to increase the public safety and vocational skills in high demand
10 throughout the region; and

11 Whereas, the College of the Albemarle's service delivery area includes seven
12 counties and four campuses, with several counties within this area willing to invest public
13 funds into construction of educational facilities for skills training and college transfer programs
14 for the benefit of students throughout the region; and

15 Whereas, the College of the Albemarle and the counties in the community college's
16 service delivery area mutually desire to enter into long-term lease agreements for the College of
17 the Albemarle to occupy educational facilities to be constructed by the counties on property
18 currently owned by the counties; and

19 Whereas, Dare County and Currituck County wish to use construction delivery
20 methods chosen by the counties as owners of the educational facilities; and

21 Whereas, the College of the Albemarle would need exemptions from certain State
22 law requirements to enter into such an agreement with the counties and use State funds,
23 including Connect NC Bond funds; Now, therefore,
24 The General Assembly of North Carolina enacts:

25 **SECTION 1.** Notwithstanding any other provision of law to the contrary, the
26 Board of Trustees of the College of the Albemarle may expend State funds appropriated for
27 capital improvements, including Connect NC Bond funds, for the construction and renovation
28 of educational facilities owned by and located on property owned by a county within the
29 service area of the College of the Albemarle (Camden, Chowan, Currituck, Dare, Gates,
30 Pasquotank, and Perquimans Counties), including the following pending projects:

- 31 (1) Construction of two facilities and renovation of a third facility located in
32 Dare County. The facilities would house community college transfer
33 programs and health care, public safety, and other vocational community
34 college programs for adults and for high school students participating in
35 Career and College Promise programs.



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1 (2) Construction of a public safety facility located in Currituck County, which
2 would enable the relocation of the community college's emergency services
3 programs.

4 Any facility constructed or renovated under this authority shall be leased for a period of at least
5 30 years to the Board of Trustees of the College of the Albemarle. If the lessor terminates the
6 lease through no fault of the college, a prorated amount of the building cost supported by State
7 funds, amortized over the lease period, shall be returned to the college.

8 **SECTION 2.** If State funds described in Section 1 of this act are derived from the
9 proceeds of Connect NC Bonds, then the proceeds shall be expended on the cost of capital
10 facilities that are to be used by the College of the Albemarle to carry out its community college
11 purposes. The lease shall contain adequate provision to assure that the capital facilities so
12 provided will be used for community college purposes.

13 **SECTION 3.** The Board of Trustees of the College of the Albemarle may contract
14 for the renovation or construction of educational facilities as described in Section 1 of this act
15 with any of the counties within the service area of the College of the Albemarle without being
16 subject to the provisions of G.S. 143-341.

17 **SECTION 4.** This act is effective when it becomes law and applies only to capital
18 improvement projects with construction contracts executed prior to July 1, 2022.