

2005

**HOUSE
EDUCATION-
COMMUNITY COLLEGES**

**COMMITTEE
MINUTES**

**House Education Subcommittee for
Community Colleges**

Volume I

2005 Session

Chairs:

**Representative Bob England
Representation John Sauls**

Committee Assistants:

**Lisa Brown
Shara Graham**

Staff:

**Drupti Chauhan
Shirley Iorio**

no meetings for 2006

HOUSE EDUCATION SUB-COMMITTEE ON
COMMUNITY COLLEGES
2005 - 2006

<u>MEMBER</u>		<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>	<u>SEAT</u>
ENGLAND, Bob	Chairman	Lisa Brown Committee Assistant	733-5749	2219	78
SAULS, John	Chairman	Shara Graham Committee Assistant	7115-3012	418-C	37
FRYE, Phillip	Vice-Chair	Mary Hayes	733-5661	1019	62
WILKINS, Winkie	Vice-Chair	Nancy Brantley	715-0850	1301	71
BORDSEN, Alice		Erin Wynia	733-5820	533	29
BROWN, Larry		Delores Ledford	733-5607	609	105
CLEVELAND, George		Susan West	715-6707	504	110
COLE, Nelson		Suzanne Smith	733-5779	1218	45
COLEMAN, Linda		Teresa Saunders	733-5934	1013	92
CRAWFORD, Jim		Linda Winstead	733-5824	2301	24
DOCKHAM, Jerry		Regina Irwin	715-2526	1425	106
GOODWIN, Melanie		Jane McMillan	733-5823	1305	91
JUSTICE, Carolyn		Vivian Sherrell	715-9664	418-B	16
MARTIN, Grier		Charlotte Graham	733-5758	2123	95
TOLSON, Joe		Shirley Phillips	715-3024	402	59
WRAY, Michael		Mary Capps	733-5662	534	94

Drupti Chauhan and Shirley Iorio, Staff

NORTH CAROLINA GENERAL ASSEMBLY

Education Subcommittee on Community Colleges 2005 – 2006 SESSION



Rep. Bob England
Chair



Rep. John Sauls
Chair



Rep. Phillip Frye
Vice chair



Rep. Winkie Wilkins
Vice chair



Rep. Alice Bordsen



Rep. Larry Brown



Rep. George Cleveland



Rep. Nelson Cole



Rep. Linda Coleman



Rep. Jim Crawford



Rep. Jerry Dockham



Rep. Melanie Wade Goodwin



Rep. Carolyn Justice



Rep. Grier Martin



Rep. Joe Tolson



Rep. Michael Wray

NORTH CAROLINA GENERAL ASSEMBLY
Education Subcommittee on Community Colleges
2005 – 2006 SESSION



Rep. Culpepper
Ex-officio



Rep. Cunningham
Ex-officio



Rep. Eddins
Ex-officio



Rep. Hackney
Ex-officio

2005 – 2006 SESSION

[illegible]

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the House Education Subcommittee on Community Colleges will meet as follows:

DAY & DATE: **Thursday, July 14, 2005**

TIME: **11:00**

LOCATION: **Room 424**

The following bills will be considered (Bill # & Short Title & Bill Sponsor):

SB 565 Amend Umstead Act/Comm. College Facilities - Sen. Dalton

Respectfully,
Representatives England and Sauls
Chair

I hereby certify this notice was filed by the committee assistant at the following offices at **10:30 on July 12, 2005.**

____Principal Clerk
____Reading Clerk - House Chamber

Lisa Brown (Committee Assistant)

AGENDA

HOUSE EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES

Thursday, July 14, 2005

Room 424

11:00 A.M.

OPENING REMARKS

Representative John Sauls, Chairman

AGENDA ITEMS

SB 565

AMEND UMSTEAD ACT/COMM. COLL. FACILITIES

Senator Dalton – Primary Sponsor

ADJOURNMENT

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES

July 14, 2005

The House Education Subcommittee on Community Colleges met on Thursday, July 14, 2005, in Room 424 of the Legislative Office Building at 11:00 AM. The following members were present: Chairman Bob England, Chairman John Sauls, Vice-Chair Phillip Frye, Vice-Chair Winkie Wilkins, Representatives Bordsen, Brown, Cleveland, Cole, Dockham, and Tolson. Shirley Iorio and Drupti Chauhan, Staff Counselors, were in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman Sauls called the meeting to order and recognized Pages and Sergeant-at-Arms who were serving for the day.

The following bills were considered:

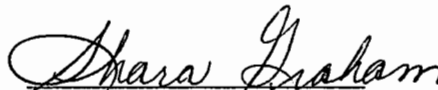
Representative England made a motion to adopt a proposed House committee substitute for Senate Bill 565. In the absence of the bill's sponsor, Senator Dalton, Representative Tolson was recognized to explain SB 565, AN ACT AUTHORIZING LIMITED USE OF COMMUNITY COLLEGE FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE. A copy of the bill, proposed committee substitute, and bill summary are attached and made part of these minutes. Senator Dalton entered the room during the explanation of the bill and was recognized by Chairman Sauls to continue explaining the bill. After a discussion of the merits of the bill, a motion was made by Representative Dockham, and the committee voted for a favorable report to the proposed committee substitute, unfavorable to the original bill, to be reported directly to the floor of the House of Representatives.

There being no further business, the Chair adjourned the meeting at 11:22 AM.

Respectfully submitted,



Representative John I. Sauls
Chair



Shara Graham
Committee Assistant



SENATE BILL 565: Amend Umstead Act/Comm. Coll. Facilities

BILL ANALYSIS

Committee:	House Education Subcommittee on Community Colleges	Date:	July 7, 2005
Introduced by:	Sen. Dalton	Summary by:	Shirley Iorio, Ph D Legislative Analyst
Version:	PCS to the Second Edition S565-CSSF-30		

SUMMARY: *Senate Bill 565 would create an exception to the Umstead Act that would allow private companies that have loaned or donated instructional equipment to the community college to use community college facilities to demonstrate that equipment to potential customers. The use of the college facilities would be in accordance with policies adopted by the board of trustees of the college.*

The Proposed Committee Substitute adds Section 3 which would require the State Board of Community Colleges to report annually to the Joint Legislative Education Oversight Committee on the use of community college facilities by private businesses.

CURRENT LAW: As a general rule, G.S. 66-58 (the Umstead Act) prohibits State agencies from competing with private businesses in certain commercial activities. However, there are a number of exceptions that have been made including allowing a community college to permit the use of its personnel or facilities in support of or by a private business enterprise located on a community college campus or in its service area for specific services in support of economic development. Those specific services are small business incubators, product testing services, and videoconferencing services provided to the public for occasional use.

BILL ANALYSIS: Section 1 of Senate Bill 565 would authorize a community college to permit the use of its facilities by private business enterprises that have loaned or donated instructional equipment to the college. The private business enterprises would be able to use the facilities to demonstrate the loaned or donated instructional equipment to its potential customers. The board of trustees would be required to adopt policies on the use of the facilities.

Section 2 of Senate Bill 565 would make conforming changes to the statute pertaining to the powers and duties of the local boards of trustees.

Section 3 would require the State Board of Community Colleges to report to Ed Oversight on the use of community college facilities by private businesses.

EFFECTIVE DATE: The bill would become effective when it became law.

BACKGROUND: Private companies loan or donate equipment to community colleges for training and educational uses. There are situations where the companies would like to use the community college facilities to demonstrate the equipment to their potential customers.

S0565e2-SMSF

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

S

D

SENATE BILL 565*

Education/Higher Education Committee Substitute Adopted 4/21/05
PROPOSED HOUSE COMMITTEE SUBSTITUTE S565-CSSF-30 [v.1]

7/6/2005 12:00:38 PM

Short Title: Amend Umstead Act/Comm. Coll. Facilities.

(Public)

Sponsors:

Referred to:

March 16, 2005

A BILL TO BE ENTITLED

AN ACT AUTHORIZING LIMITED USE OF COMMUNITY COLLEGE
FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR
DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 66-58(c) is amended by adding a new subdivision to read:

"(c) The provisions of subsection (a) shall not prohibit:

...

(3c) The use of community college facilities by a private business enterprise that has loaned or donated instructional equipment to the college to demonstrate that equipment to customers. This use of college facilities shall be in accordance with policies adopted by the board of trustees of the college."

SECTION 2. G.S. 115D-20(12) reads as rewritten:

"(12) Notwithstanding the provisions of this Chapter, a community college may permit the use of its personnel or facilities, in support of or by a private business enterprise located on a community college campus or in the service area of a community college for the specific purposes ~~services in support of economic development that are set out in G.S. 66-58(e)(3a).~~ G.S. 66-58(c)(3a) and G.S. 66-58(c)(3c). The board of trustees of a community college must specifically approve any use of facilities or personnel under this subdivision. The State Board shall adopt rules to implement ~~the provisions of this subdivision and G.S. 66-58(e)(3a).~~ this subdivision, G.S. 66-58(c)(3a), and G.S. 66-58(c)(3c)."

1 **SECTION 3.** The State Board of Community Colleges shall report to the
2 Joint Legislative Education Oversight Committee on October 1 of each year on the use
3 of community college facilities by private businesses.

4 **SECTION 4.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

S

2

SENATE BILL 565*
Education/Higher Education Committee Substitute Adopted 4/21/05

Short Title: Amend Umstead Act/Comm. Coll. Facilities.

(Public)

Sponsors:

Referred to:

March 16, 2005

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING LIMITED USE OF COMMUNITY COLLEGE
3 FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR
4 DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 66-58(c) is amended by adding a new subdivision to read:
7 "(c) The provisions of subsection (a) shall not prohibit:

8 ...

9 (3c) The use of community college facilities by a private business
10 enterprise that has loaned or donated instructional equipment to the
11 college to demonstrate that equipment to customers. This use of
12 college facilities shall be in accordance with policies adopted by the
13 board of trustees of the college."

14 SECTION 2. G.S. 115D-20(12) reads as rewritten:

15 "(12) Notwithstanding the provisions of this Chapter, a community college
16 may permit the use of its personnel or facilities, in support of or by a
17 private business enterprise located on a community college campus or
18 in the service area of a community college for the specific purposes
19 ~~services in support of economic development that are set out in~~
20 ~~G.S. 66-58(e)(3a).~~ G.S. 66-58(c)(3a) and G.S. 66-58(c)(3c). The board
21 of trustees of a community college must specifically approve any use
22 of facilities or personnel under this subdivision. The State Board shall
23 adopt rules to implement ~~the provisions of this subdivision and~~
24 ~~G.S. 66-58(e)(3a).~~ this subdivision, G.S. 66-58(c)(3a), and
25 G.S. 66-58(c)(3c)."

26 SECTION 3. This act is effective when it becomes law.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE

The following report(s) from standing committee(s) is/are presented:

By Representative(s) England, Sauls (Chairs) for the Education Subcommittee on Community Colleges.

☒ Senate Committee Substitute for

SB 565 A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED USE OF
COMMUNITY COLLEGE FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR
DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE.

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative Bell, Lucas, McLawhorn (Chairs) for the Standing Committee on Education.

s/

☒ With a favorable report as to the House committee substitute bill, unfavorable as to the Senate Committee Substitute Bill.

(FOR JOURNAL USE ONLY)

____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on
_____.

____ Pursuant to Rule 36(b), the (House/Senate) committee substitute bill/(joint)
resolution (No. ____) is placed on the Calendar of _____. (The original bill resolution
No. ____) is placed on the Unfavorable Calendar.

____ The (House) committee substitute bill/(joint) resolution (No. ____) is re-referred to
the Committee on _____. (The original bill/resolution) (House/Senate Committee Substitute
Bill/(Joint) resolution No. ____) is placed on the Unfavorable Calendar.

VISITOR REGISTRATION SHEET

EDUCATION - COMMUNITY COLLEGE
Name of Committee

7-14-05
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Ken Byers	NCCCS
Nel Miller	NCACCT
Mark Brown	Capt Brown
Suparna Williams	NCCCS
Mark Flung	work for Tim McDowell
Tim McDowell	NCCU
Kathleen Edwards	UNC-CH Institute of Gov't
Kaye Gattis	NC State Parks Authr
Brian Hunt	Rep England Intern
John Mottel	Gov office
John Goodman	Ally Associates

VISITOR REGISTRATION SHEET

Education - Community College

Name of Committee

7-14-05

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

David Fox

Alley Assoc.

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on House Education Subcommittee on Community Colleges will meet as follows:

DAY & DATE: **Thursday, May 26, 2005**

TIME: **11:00**

LOCATION: **Room 424 LOB**

The following bills will be considered (Bill # & Short Title & Bill Sponsor):
HB 577 - Amend Umstead Act/Comm. Coll. Facilities - Reps. Yongue, Sauls, England, and Tolson

Respectfully,
Representatives England and Sauls
Chair

I hereby certify this notice was filed by the committee assistant at the following offices at
3:30 on May 24, 2005.

____Principal Clerk
____Reading Clerk - House Chamber

Lisa Brown (Committee Assistant)

AGENDA

HOUSE EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES

Thursday, May 26, 2005

Room 424

11:00 A.M.

OPENING REMARKS

Representative Bob England, Chairman

AGENDA ITEMS

**HB 577 AMEND UMSTEAD ACT/COMMUNITY COLLEGE
FACILITIES**

Representatives Yongue, Sauls, England, and Tolson – Primary
Sponsors

ADJOURNMENT

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES

May 26, 2005

The House Education Subcommittee on Community Colleges met on Thursday, March 24, 2005, in Room 424 of the Legislative Office Building at 11:00 AM. The following members were present: Chairman Bob England, Chairman John Sauls, Vice-Chair Phillip Frye, Vice-Chair Winkie Wilkins, Representatives Bordsen, Brown, Cole, Goodwin, Justice, Martin, Tolson, and Wray. Shirley Iorio, Staff Counselor, was in attendance. A Visitor Registration list is attached and made part of these minutes.

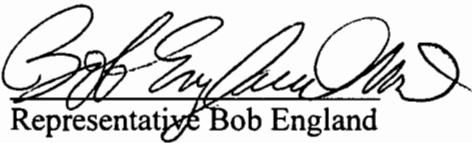
Chairman England called the meeting to order and made a brief introduction. Chairman Sauls also made a brief introduction.

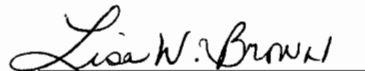
The following bills were considered:

Representative Sauls made a motion to adopt a proposed committee substitute. Representative Yongue was recognized to explain HB 577, A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED USE OF COMMUNITY COLLEGE FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE. A copy of the bill, proposed committee substitute, and bill summary is attached and made part of these minutes. Upon motion made by Representative Tolson, the committee voted for a favorable report to the proposed committee substitute, unfavorable to the original bill, to be reported directly to the floor of the House.

There being no further business, the Chair adjourned the meeting at 11:10 AM.

Respectfully submitted,


Representative Bob England
Chair


Lisa W. Brown
Committee Assistant



HOUSE BILL 577: Amend Umstead Act/Comm. Coll. Facilities

BILL ANALYSIS

Committee:	House Education Subcommittee on Community Colleges	Date:	May 26, 2005
Introduced by:	Reps. Yongue, Sauls, England, Tolson	Summary by:	Shirley Iorio, Ph D Legislative Analyst
Version:	PCS to First Edition H577-CSSF-22 [v.1]		

SUMMARY: *The PCS for House Bill 577 would create an exception to the Umstead Act that would authorize the use of community college facilities by private companies that have loaned or donated instructional equipment to the community college to demonstrate that equipment to potential customers.*

The PCS makes conforming technical changes to the statute pertaining to the powers and duties of the boards of trustees.

CURRENT LAW: As a general rule, G.S. 66-58 (the Umstead Act) prohibits State agencies from competing with private businesses in certain commercial activities. However, there are a number of exceptions that have been made including allowing a community college to permit the use of its personnel or facilities in support of or by a private business enterprise located on a community college campus or in its service area for specific services in support of economic development. Those specific services are small business incubators, product testing services, and videoconferencing services provided to the public for occasional use.

BILL ANALYSIS:

Section 1 of the PCS for House Bill 577 would authorize a community college to permit the use of its facilities by private business enterprises that have loaned or donated instructional equipment to the college. The private business enterprises would be able to use the facilities to demonstrate the loaned or donated instructional equipment to its potential customers. The board of trustees would be required to adopt policies on the use of the facilities.

Section 2 of the PCS for House Bill 577 would make conforming changes to the statute pertaining to the powers and duties of the local boards of trustees.

BACKGROUND: Private companies loan or donate equipment to community colleges for training and educational uses. There are situations where the companies would like to use the community college facilities to demonstrate the equipment to their potential customers.

EFFECTIVE DATE: The bill would become effective when it became law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

D

HOUSE BILL 577

PROPOSED COMMITTEE SUBSTITUTE H577-CSSF-22 [v.1]

5/24/2005 3:34:43 PM

Short Title: Amend Umstead Act/Comm. Coll. Facilities.

(Public)

Sponsors:

Referred to:

March 10, 2005

A BILL TO BE ENTITLED

AN ACT AUTHORIZING LIMITED USE OF COMMUNITY COLLEGE FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 66-58(c) is amended by adding a new subdivision to read:

"(c) The provisions of subsection (a) shall not prohibit:

...

(3c) The use of community college facilities by a private business enterprise that has loaned or donated instructional equipment to the college to demonstrate that equipment to customers. This use of college facilities shall be in accordance with policies adopted by the board of trustees of the college."

SECTION 2. G.S. 115D-20(12) reads as rewritten:

"(12) Notwithstanding the provisions of this Chapter, a community college may permit the use of its personnel or facilities, in support of or by a private business enterprise located on a community college campus or in the service area of a community college for the specific purposes ~~services in support of economic development that are set out in G.S. 66-58(c)(3a).~~ G.S. 66-58(c)(3a) and G.S. 66-58(c)(3c). The board of trustees of a community college must specifically approve any use of facilities or personnel under this subdivision. The State Board shall adopt rules to implement ~~the provisions of this subdivision and G.S. 66-58(c)(3a).~~ this subdivision, G.S. 66-58(c)(3a), and G.S. 66-58(c)(3c)."

SECTION 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

1

HOUSE BILL 577

Short Title: Amend Umstead Act/Comm. Coll. Facilities.

(Public)

Sponsors: Representatives Yongue, Sauls, England, Tolson (Primary Sponsors);
B. Allen, Church, Cole, Coleman, Faison, Farmer-Butterfield, Fisher,
Frye, Gibson, Goodwin, Holliman, McGee, Parmon, Pierce, Rapp, Sutton,
Underhill, Wainwright, Walend, Wilkins, Womble, and Wray.

Referred to: State Government.

March 10, 2005

A BILL TO BE ENTITLED

AN ACT AUTHORIZING LIMITED USE OF COMMUNITY COLLEGE
FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR
DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 66-58(c) is amended by adding a new subdivision to read:

"(c) The provisions of subsection (a) shall not prohibit:

...

(3c) The use of community college facilities by a private business
enterprise that has loaned or donated instructional equipment to the
college to demonstrate that equipment to customers. This use of
college facilities shall be in accordance with policies adopted by the
board of trustees of the college."

SECTION 2. This act is effective when it becomes law.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from standing committee(s) is/are presented:

By Representative(s) England, Sauls (Chairs) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 577 A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED USE OF
COMMUNITY COLLEGE FACILITIES BY PRIVATE COMPANIES THAT HAVE LOANED OR
DONATED INSTRUCTIONAL EQUIPMENT TO THE COLLEGE.

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative Bell, Lucas, McLawhorn (Chairs) for the Standing Committee on Education.

s/ Merien McLawhorn

☒ With a favorable report as to the committee substitute bill, unfavorable as to the original bill.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on
_____.

_____ The (House) committee substitute bill/(joint) resolution (No. _____) is re-referred to
the Committee on _____. (The original bill/resolution) (House/Senate Committee Substitute
Bill/(Joint) resolution No. _____) is placed on the Unfavorable Calendar.

_____ Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar
of _____. The original resolution is placed on the Unfavorable Calendar.

VISITOR REGISTRATION SHEET

Name of Committee

Date _____

*** VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK ***

NAME

FIRM OR AGENCY AND ADDRESS

Ken Byrd

NCCCS

Ashley Williams

Intern, Rep. Sauls

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on Education Subcommittee on Community Colleges will meet as follows:

DAY & DATE: **Thursday, May 5, 2005**

TIME: **11:00 a.m.**

LOCATION: **Room 424**

The following bills will be considered (Bill # & Short Title & Bill Sponsor):

**HB 677 TREASURER'S DESIGNEE ON COMMUNITY COLLEGE
 BOARDS**

**HB 833 Representatives Tolson, Sauls, and England
 ADDITIONAL STANDARDS FOR COMMUNITY COLLEGE
 ADMISSION**

**HB 622 Representatives Tolson, Sauls, and England
 COMMUNITY COLLEGE MASSAGE THERAPY PROGRAMS
 Representatives Bordsen, Sauls, Tolson, and England**

Respectfully,
Representatives England and Sauls
Chairs

I hereby certify this notice was filed by the committee assistant at the following offices at
2:30 on May 2, 2005.

____Principal Clerk
____Reading Clerk - House Chamber

Lisa Brown (Committee Assistant)

AGENDA

HOUSE EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES

Thursday, May 5, 2005

Room 424

11:00 A.M.

OPENING REMARKS

Representative John Sauls, Chairman

AGENDA ITEMS

**HB 677 TREASURER'S DESIGNEE ON COMMUNITY COLLEGE
BOARDS**

Representatives Tolson, Sauls, and England – Primary Sponsors

**HB 833 ADDITIONAL STANDARDS FOR COMMUNITY
COLLEGE ADMISSION**

Representatives Tolson, Sauls, and England – Primary Sponsors

**HB 622 COMMUNITY COLLEGE MASSAGE THERAPY
PROGRAMS**

Representatives Bordsen, Sauls, Tolson, and England – Primary
Sponsors

ADJOURNMENT

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES

May 5, 2005

The House Education Subcommittee on Community Colleges met on Thursday, May 5, 2005, in Room 424 of the Legislative Office Building at 11:00 AM. The following members were present: Chairman Bob England, Chairman John Sauls, Vice-Chair Phillip Frye, Vice-Chair Winkie Wilkins, Representatives Bordsen, Brown, Cole, Coleman, Martin, Tolson, and Wray. Drupti Chauhan, Staff Counselor, was in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman Sauls called the meeting to order and recognized Pages and Sergeant-at-Arms who were serving for the day.

Chairman Sauls announced removal from the agenda of HB 622, A BILL TO BE ENTITLED AN ACT TO EXEMPT COMMUNITY COLLEGE MASSAGE AND BODYWORK THERAPY PROGRAMS FROM LICENSURE BY THE NORTH CAROLINA BOARD OF MASSAGE AND BODYWORK THERAPY.

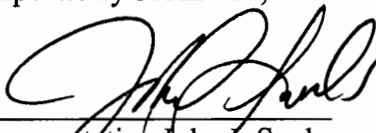
The following bills were considered:

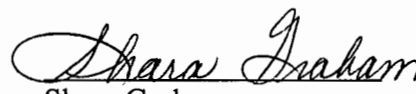
Representative Tolson was recognized to explain HB 677, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TREASURER TO DESIGNATE A PERSON TO REPRESENT THE TREASURER ON THE STATE BOARD OF COMMUNITY COLLEGES. A copy of the bill is attached and made part of these minutes. Upon motion made by Representative Brown, the bill received a favorable report and is to be reported directly to the floor of the House.

Representative Tolson was recognized to explain HB 833, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO SET NONACADEMIC CRITERIA FOR ADMISSION INTO CERTAIN PROGRAMS. A copy of the bill is attached and made part of these minutes. Upon motion made by Representative Coleman, the bill received a favorable report and is to be reported directly to the floor of the House.

There being no further business, the Chair adjourned the meeting at 11:10 AM.

Respectfully submitted,


Representative John I. Sauls
Chair


Shara Graham
Committee Assistant



HOUSE BILL 677: Treasurer's Designee on Comm. Coll. Bd.

BILL ANALYSIS

Committee:	House Education Subcommittee on Community Colleges	Introduced by:	Reps. Tolson, Sauls, & England
Date:	April 28, 2005	Summary by:	Drupti Chauhan
Version:	1 st Edition		Committee Counsel

SUMMARY: *House Bill 677 would authorize the Treasurer to designate a person to represent the Treasurer on the State Board of Community Colleges.*

CURRENT LAW: The State Board of Community Colleges consists of 21 members:

- The Lieutenant Governor (or a person designated by the Lieutenant Governor)
- The Treasurer
- 10 members appointed by the Governor (4 from the State at large and 1 members from each of the 6 Trustee Association Regions)
- 8 members elected by the General Assembly
- The President of the North Carolina Comprehensive Community College Student Government Association (does not have a vote)

No member of the General Assembly, no officer or employee of the State, and no officer or employee of an institution under the jurisdiction of the State Board are eligible to serve on the State Board and no spouse of any of these persons are eligible to serve on the State Board. Moreover, no person who within the prior five years has been an employee of the Community Colleges System Office is eligible to serve on the Board.

BILL ANALYSIS: House Bill 677 would allow the Treasurer to designate a person to represent the Treasurer on the State Board of Community Colleges. The bill would give the same authority to the Treasurer to appoint a designee as the Lieutenant Governor currently has the authority to do.

EFFECTIVE DATE: The bill would become effective when it becomes law.

HB677-SMRQ-001

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

H

1

HOUSE BILL 677

Short Title: Treasurer's Designee on Comm. Coll. Bd.

(Public)

Sponsors: Representatives Tolson, Sauls, and England (Primary Sponsors).

Referred to: Education Subcommittee on Community Colleges.

March 17, 2005

A BILL TO BE ENTITLED

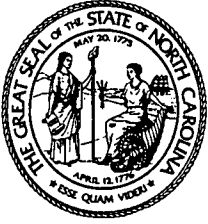
AN ACT AUTHORIZING THE TREASURER TO DESIGNATE A PERSON TO
REPRESENT THE TREASURER ON THE STATE BOARD OF COMMUNITY
COLLEGES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-2.1(b)(2) reads as rewritten:

"(2) The Treasurer of North Carolina (or a person designated by the
Treasurer) shall be a member ex officio."

SECTION 2. This act is effective when it becomes law.



HOUSE BILL 833: Add'l. Standards for Comm. Coll. Admission

BILL ANALYSIS

Committee:	House Education Subcommittee on Community Colleges	Date:	April 28, 2005
Introduced by:	Reps. Tolson, Sauls, England	Summary by:	Drupti Chauhan
Version:	First Edition		Committee Counsel

SUMMARY: *House Bill would authorize the State Board of Community Colleges to set nonacademic criteria for admissions into certain programs.*

CURRENT LAW: In G.S. 115D-1, the General Assembly states that the major purpose of each and every NC community college is the "offering of vocational and technical education and training, and of basic, high school level, academic education needed in order to profit from vocational and technical education". The State Board of Community Colleges has the authority to "adopt and execute such policies, regulations and standards concerning the establishment, administration, and operation of institutions as the State Board may deem necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State". (G.S. 115D-5(a)). The trustees of each community college in G.S. 115D-20(4) are charged with applying the standards and requirements for admissions and graduation of students and other standards established by the State Board.

23 NCAC 2C.0301(a) provides that each college must maintain an open door admission policy to all applicants who are high school graduates or who are at least 18 years of age.

23 NCAC 2C.0301(b) provides that boards of trustees may adopt policies regulating admission and graduation of students in courses required by the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission.

BILL ANALYSIS: House Bill 833 would allow the State Board of Community Colleges to adopt standards for admission that include both academic and nonacademic criteria for any curriculum program or continuing education program that traditionally leads into an occupation or practice that requires licensure or certification under State law.

EFFECTIVE DATE: The bill would become effective July 1, 2005.

BACKGROUND: Programs such as nursing often have criminal background check required by the State agency that grants and regulates the licenses. In addition, many clinical sites such as hospitals require background checks of all persons that work or train at the sites, including students. It is quite possible that person who is in these types of program may fail the required background check after having completed a substantial part of the coursework and then be ineligible for training at the site or for a license.

H0833e1-SMRQ

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 833

Short Title: Add'l. Standards for Comm. Coll. Admission. (Public)

Sponsors: Representatives Tolson, Sauls, England (Primary Sponsors); and Coleman.

Referred to: Education Subcommittee on Community Colleges.

March 22, 2005

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES
TO SET NONACADEMIC CRITERIA FOR ADMISSION INTO CERTAIN
PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-5 is amended by adding a new subsection to read:

"(a4) Notwithstanding G.S. 115D-1, the State Board may adopt standards for admission that include both academic and nonacademic criteria for any curriculum program or continuing education program that traditionally leads into an occupation or practice that requires licensure or certification under State law."

SECTION 2. This act becomes effective July 1, 2005.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE

The following report(s) from standing committee(s) is/are presented:

By Representative(s) England, Sauls (Chairs) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 677 A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TREASURER TO DESIGNATE A PERSON TO REPRESENT THE TREASURER ON THE STATE BOARD OF COMMUNITY COLLEGES.

By Representatives England, Sauls, Chairs, for the EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES, with approval of standing committee chairs for report to be made directly to the floor of the House:

s/ Merion McLawhorn

☒ With a favorable report.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on _____.

_____ Pursuant to Rule 36(b), the bill/resolution is placed on the Calendar of _____.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from standing committee(s) is/are presented:

By Representative(s) England, Sauls (Chairs) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 833 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO SET NONACADEMIC CRITERIA FOR ADMISSION INTO CERTAIN PROGRAMS.

By Representatives England, Sauls, Chairs, for the EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES, with approval of standing committee chairs for report to be made directly to the floor of the House:

s/ Marion McLeish

☒ With a favorable report.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on _____.

_____ Pursuant to Rule 36(b), the bill/resolution is placed on the Calendar of _____.

VISITOR REGISTRATION SHEET

Education Sub-Committee on Community Colleges

Name of Committee

5/5/05

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Hal Miller	NCACCT
David Sullivan	NCCIS
Dan Payne	Edminster & Webb
Bob Sawitt	NCCE
Richard W. Sullivan	NCCCS
August Williams	NCCCS
Heather Lancaster	NCCCS

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on House Education Subcommittee on Community Colleges will meet as follows:

DAY & DATE: **Thursday, March 24, 2005**

TIME: **11:00 a.m.**

LOCATION: **Room 424**

The following bills will be considered (Bill # & Short Title & Bill Sponsor):

HB 552 - Customized Industry Training Program

Representatives Tolson, Sauls, and England

HB 576 - Simply Bid Process/Small Community College Projects

Representatives Tolson, Sauls, and England

HB 583 - Community College/Lead Agency For Job Training

Representatives Tolson, Sauls, and England

HB 622 - Community College Massage Therapy Programs

Representatives Bordsen, Sauls, Tolson, and England

Respectfully,
Representatives England and Sauls
Chairs

I hereby certify this notice was filed by the committee assistant at the following offices at
3:30 on March 21, 2005.

____Principal Clerk
____Reading Clerk - House Chamber

Lisa Brown (Committee Assistant)

AGENDA

HOUSE EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES

Thursday, March 24, 2005

Room 424

11:00 A.M.

OPENING REMARKS

Representative Bob England, Chairman

AGENDA ITEMS

- | | |
|---------------|---|
| HB 552 | CUSTOMIZED INDUSTRY TRAINING PROGRAM
Representatives Tolson, England, and Sauls – Primary Sponsors |
| HB 576 | SIMPLY BID PROCESS/SMALL COMMUNITY COLLEGE PROJECTS
Representatives Tolson, Sauls, and England – Primary Sponsors |
| HB 583 | COMMUNITY COLLEGE/LEAD AGENCY FOR JOB TRAINING
Representatives Sauls, Tolson, and England – Primary Sponsors |
| HB 622 | COMMUNITY COLLEGE MASSAGE THERAPY PROGRAMS
Representatives Bordsen, Sauls, Tolson, and England – Primary Sponsors |

ADJOURNMENT

**MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES**

March 24, 2005

The House Education Subcommittee on Community Colleges met on Thursday, March 24, 2005, in Room 424 of the Legislative Office Building at 11:00 AM. The following members were present: Chairman Bob England, Chairman John Sauls, Vice-Chair Phillip Frye, Vice-Chair Winkie Wilkins, Representatives Bordsen, Brown, Cleveland, Cole, Coleman, Crawford, Dockham, Goodwin, Justice, Martin, Tolson, and Wray. Shirley Iorio and Drupti Chauhan, Staff Counselors, were in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman England called the meeting to order and made a brief introduction. Chairman Sauls also made a brief introduction.

The following bills were considered:

Representative Sauls made a motion to adopt a proposed committee substitute. Representative Tolson was recognized to explain HB 552, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CUSTOMIZED INDUSTRY TRAINING PROGRAM AND TO APPROPRIATE FUNDS FOR THE PROGRAM. A copy of the bill, proposed committee substitute, and bill summary is attached and made part of these minutes. Upon motion made by Representative Dockham, the committee voted for a favorable report to the proposed committee substitute, unfavorable to the original bill, to be re-referred to the committee on Appropriations.

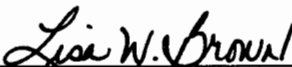
Representative Wilkins made a motion to adopt a proposed committee substitute. Representative Tolson was recognized to explain HB 576, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE BID PROCESS FOR SMALL COMMUNITY COLLEGE CAPITAL IMPROVEMENT PROJECTS. A copy of the bill, proposed committee substitute, and the bill summary is attached and made part of these minutes. Upon motion made by Representative Wray, the committee voted for a favorable report to the proposed committee substitute, unfavorable to the original bill, to be reported directly to the floor of the House.

Representative Sauls was recognized to explain HB 583, A BILL TO BE ENTITLED AN ACT DESIGNATING THE COMMUNITY COLLEGE SYSTEM AS THE PRIMARY LEAD AGENCY FOR DELIVERING WORKFORCE DEVELOPMENT TRAINING, LITERACY, AND ADULT EDUCATION IN THE STATE. A copy of the bill is attached and made part of these minutes. Upon motion made by Representative Tolson, the bill received a favorable report and is to be reported directly to the floor of the House.

There being no further business, the Chair adjourned the meeting at 11:47 AM.

Respectfully submitted,


Representative Bob England
Chair


Lisa W. Brown
Committee Assistant



BILL ANALYSIS

HOUSE BILL 552: Customized Industry Training Program

Committee: House Education Subcommittee
on Community Colleges

Date: March 24, 2005

Version: PCS to First Edition
H552-CSSF-1 [v.1]

Introduced by: Reps. Tolson, England, Sauls
Summary by: Shirley Iorio, Ph D
Committee Analyst

SUMMARY: *This bill would establish the Customized Industry Training Program (CIT) within the Community College System, and appropriate funds for the Program. The State Board of Community Colleges would adopt rules and policies to implement the Program and would report annually to the Joint Legislative Education Oversight Committee on specific aspects of the CIT Program.*

The act would become effective when it becomes law.

The PCS adds the September 1 reporting date, and makes technical changes.

BILL ANALYSIS: A new section would be added to the Community College statute to establish the North Carolina Customized Industry Training (CIT) Program, and the State Board would have to adopt rules and policies to implement the Program. One purpose of the Program would be to help keep existing business and industry in the State. CIT would offer programs and training services to assist existing business and industry to remain profitable and productive. The President of the North Carolina Community College System must determine that, based on specified criteria, a business or industry would qualify to receive assistance under the CIT Program. The business or industry must:

- make an appreciable capital investment;
- deploy new technology;
- enhance the skills of the workers through the CIT assistance; and
- increase measurably the average wage of the workers receiving the training.

The State Board would report September 1 every year to the Joint Legislative Education Oversight Committee on:

- the amount of funds a company received under the CIT Program;
- the amount of funds per trainee received by both the company and the community college delivering the training;
- the number of trainees trained by the company and by the community college; and
- the number of years that the company has been funded.

This reporting requirement is very similar to the statutory reporting requirement for the New and Expanding Industry Training (NEIT) Program.

This new CIT Program is separate from and complementary to the New and Expanding Industry (NEIT) Program and the Focused Industrial Training (FIT) Program that already exist.

HOUSE BILL 552

Page 2

BACKGROUND: The New and Expanding Industry (NEIT) Program assists companies that create 12 or more full-time production jobs. Eligible industry categories include manufacturing, biotechnology, regional or national warehousing and distribution centers, customer services, and others. Eligible trainees are full-time production workers involved in direct production of goods and services. All training is customized to meet specific company needs.

The Focused Industrial Training (FIT) Program provides dedicated resources that are essential to meet the retraining needs resulting from technological or process advances within existing companies. It is designed to provide customized training assistance, focused upon skills required for both highly skilled and semi-skilled occupations.

H552-SMSF-001

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

D

HOUSE BILL 552
PROPOSED COMMITTEE SUBSTITUTE H552-CSSF-1 [v.1]

3/23/2005 5:31:08 PM

Short Title: Customized Industry Training Program.

(Public)

Sponsors:

Referred to:

March 10, 2005

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE CUSTOMIZED INDUSTRY TRAINING PROGRAM
AND TO APPROPRIATE FUNDS FOR THE PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 115D of the General Statutes is amended by adding a new section to read:

"§ 115D-7.1. Establishment of the Customized Industry Training Program.

(a) There is created within the North Carolina Community College System the Customized Industry Training (CIT) Program. The CIT Program shall offer programs and training services as new options for assisting existing business and industry to remain productive, profitable, and within the State. Before a business or industry qualifies to receive assistance under the CIT Program, the President of the North Carolina Community College System shall determine that:

- (1) The business is making an appreciable capital investment;
- (2) The business is deploying new technology;
- (3) The skills of the workers will be enhanced by the assistance; and
- (4) The average wage of the workers receiving the training will increase measurably.

(b) The State Board of Community Colleges shall report on September 1 of each year to the Joint Legislative Education Oversight Committee on:

- (1) The total amount of funds received by a company under the CIT Program;
- (2) The amount of funds per trainee received by that company;
- (3) The amount of funds received per trainee by the community college delivering the training;
- (4) The number of trainees trained by the company and community college; and
- (5) The number of years that company has been funded.

1 | (c) The State Board shall adopt rules and policies to implement this section."

2 **SECTION 2.** There is appropriated from the General Fund to the
3 Community Colleges System Office the sum of four million dollars (\$4,000,000) for the
4 2005-2006 fiscal year and the sum of four million dollars (\$4,000,000) for the
5 2006-2007 fiscal year for the operation of the Customized Industry Training Program,
6 which is established in Section 1 of this act.

7 **SECTION 3.** This act becomes effective July 1, 2005.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 552

Short Title: Customized Industry Training Program. (Public)

Sponsors: Representatives Tolson, England, Sauls (Primary Sponsors); B. Allen, L. Allen, Bordsen, Brown, Cleveland, Cole, Coleman, Dickson, Faison, Farmer-Butterfield, Fisher, Frye, Gibson, Gillespie, Howard, Martin, McGee, McLawhorn, Parmon, Rapp, Ross, Wainwright, Walend, Warren, Weiss, Williams, and Wray.

Referred to: Education Subcommittee on Community Colleges, if favorable, Appropriations.

March 10, 2005

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH THE CUSTOMIZED INDUSTRY TRAINING PROGRAM
AND TO APPROPRIATE FUNDS FOR THE PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 115D of the General Statutes is amended by adding a new section to read:

"§ 115D-7.1. Establishment of the Customized Industry Training Program.

(a) There is created within the North Carolina Community College System the Customized Industry Training (CIT) Program. The CIT Program shall offer programs and training services as new options for assisting existing business and industry to remain productive, profitable, and within the State. Before a business or industry qualifies to receive assistance under the CIT Program, the President of the North Carolina System of Community Colleges shall determine that:

- (1) The business is making an appreciable capital investment;
- (2) The business is deploying new technology;
- (3) The skills of the workers will be enhanced by the assistance; and
- (4) The average wage of the workers receiving the training will increase measurably.

(b) The State Board shall report on an annual basis to the Joint Legislative Education Oversight Committee on:

- (1) The total amount of funds received by a company under the CIT Program;
- (2) The amount of funds per trainee received by that company;

1 (3) The amount of funds received per trainee by the community college
2 delivering the training;

3 (4) The number of trainees trained by the company and community
4 college; and

5 (5) The number of years that company has been funded.

6 (c) The State Board shall adopt rules and policies to implement this section."

7 **SECTION 2.** There is appropriated from the General Fund to the
8 Community Colleges System Office the sum of four million dollars (\$4,000,000) for the
9 2005-2006 fiscal year and the sum of four million dollars (\$4,000,000) for the
10 2006-2007 fiscal year for the operation of the Customized Industry Training Program,
11 which is established in Section 1 of this act.

12 **SECTION 3.** This act becomes effective July 1, 2005.



HOUSE BILL 576: Simply Bid Process/Small Comm. Coll. Projects

BILL ANALYSIS

Committee:	House Community Colleges Subcommittee	Introduced by:	Reps. Tolson, Sauls, & England
Date:	March 24, 2005	Summary by:	Drupti Chauhan
Version:	PCS H576-CSRQ-4 [v.2]		Committee Counsel

SUMMARY: *The PCS for House Bill 576 would allow Community College Capital Improvement Projects to be exempted from the public advertising requirements for design services where the expenditure of public funds is less than \$100,000. The PCS would also allow an exemption from the public advertising requirements for design services for a community college capital improvement project that uses less than \$300,000 of public funds in certain situations.*

CURRENT LAW: For the procurement of design services such as architectural, engineering, and surveying services, North Carolina law allows agencies to advertise their requirements without regard to fees and then negotiate the price with the best qualified company. State Capital Improvement Projects under the State Building Commission that are estimated to cost less than \$100,000 of public funds are exempted from the public advertising requirements. However, all community college capital improvement projects are subject to the advertising requirements regardless of the cost of the project. Capital improvement projects of the University of North Carolina are also exempt from the announcement requirement for projects less than \$300,000 if the design services are to be rendered under an open-end design agreement that has been publicly announced and complies with the procedures adopted by the University and approved by the State Building Commission.

BILL ANALYSIS: The PCS would bring Community College Capital Improvement Projects under the same exemption from the public advertising requirements for design services that is allowed for State Capital Improvement Projects for projects with estimated public expenditures of less than \$100,000. The PCS would also allow an exemption from the advertising requirements for a community college capital improvement project that is estimated to cost less than \$300,000 if the following criteria are met:

1. the design services to rendered are under an open-end design agreement;
2. the open-end design agreement has been publicly announced; and
3. the open-end design agreement complies with policies and procedures adopted by the State Board of Community Colleges.

EFFECTIVE DATE: The bill would become effective when it becomes law.

HB576-SMRQ-001

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

D

HOUSE BILL 576

PROPOSED COMMITTEE SUBSTITUTE H576-CSRQ-4 [v.2]

3/23/2005 11:55:49 AM

Short Title: Simply Bid Process/Small Comm. Coll. Projects.

(Public)

Sponsors:

Referred to:

March 10, 2005

A BILL TO BE ENTITLED

AN ACT TO SIMPLIFY THE BID PROCESS FOR SMALL COMMUNITY COLLEGE CAPITAL IMPROVEMENT PROJECTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-64.34 reads as rewritten:

"§ 143-64.34. (Effective until December 31, 2006) Exemption of certain projects.

(a) State Capital Improvement Projects under the jurisdiction of the State Building Commission and Community College Capital Improvement Projects where the estimated expenditure of public money is less than one hundred thousand dollars (\$100,000) are exempt from the provisions of this Article.

(b) A capital improvement project of The University of North Carolina under G.S. 116-31.11 where the estimated expenditure of public money is less than three hundred thousand dollars (\$300,000) is exempt from this Article if:

(1) The architectural, engineering, or surveying services to be rendered are under an open-end design agreement;

(2) The open-end design agreement has been publicly announced; and

(3) The open-end design agreement complies with procedures adopted by the University and approved by the State Building Commission under G.S. 116-31.11(a)(3).

(c) A community college capital improvement project where the estimated expenditure of public money is less than three hundred thousand dollars (\$300,000) is exempt from this Article if:

(1) The architectural, engineering, or surveying services to be rendered are under an open-end design agreement;

(2) The open-end design agreement has been publicly announced; and

(3) The open-end design agreement complies with procedures adopted by the State Board of Community Colleges."

SECTION 2. G.S. 143-64.34 reads as rewritten:

1 "§ 143-64.34. (Effective December 31, 2006) Exemption of certain State Capital
2 Improvement Projects.

3 (a) State Capital Improvement Projects under the jurisdiction of the State
4 Building Commission and Community College Capital Improvement Projects where the
5 estimated expenditure of public money is less than one hundred thousand dollars
6 (\$100,000) are exempt from the provisions of this Article.

7 (b) Repealed by Session Laws 1997-412, s. 5.1, as amended by Session Laws
8 2001-496, s. 8(b), effective December 31, 2006.

9 (c) A community college capital improvement project where the estimated
10 expenditure of public money is less than three hundred thousand dollars (\$300,000) is
11 exempt from this Article if:

12 (1) The architectural, engineering, or surveying services to be rendered are
13 under an open-end design agreement;

14 (2) The open-end design agreement has been publicly announced; and

15 (3) The open-end design agreement complies with procedures adopted by
16 the State Board of Community Colleges."

17 **SECTION 3.** This act is effective when it becomes law.
18

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

1

HOUSE BILL 576

Short Title: Simply Bid Process/Small Comm. Coll. Projects.

(Public)

Sponsors: Representatives Tolson, Sauls, England (Primary Sponsors); B. Allen, Cole, Coleman, Farmer-Butterfield, Fisher, Frye, Gibson, Gillespie, Glazier, McGee, Parmon, Rapp, Ross, Underhill, Wainwright, Walend, Womble, and Wray.

Referred to: Education Subcommittee on Community Colleges.

March 10, 2005

A BILL TO BE ENTITLED

AN ACT TO SIMPLIFY THE BID PROCESS FOR SMALL COMMUNITY COLLEGE CAPITAL IMPROVEMENT PROJECTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-64.34 reads as rewritten:

"§ 143-64.34. (Effective until December 31, 2006) Exemption of certain projects.

(a) State Capital Improvement Projects under the jurisdiction of the State Building Commission where the estimated expenditure of public money is less than one hundred thousand dollars (\$100,000) are exempt from the provisions of this Article.

(b) A capital improvement project of The University of North Carolina under G.S. 116-31.11 where the estimated expenditure of public money is less than three hundred thousand dollars (\$300,000) is exempt from this Article if:

- (1) The architectural, engineering, or surveying services to be rendered are under an open-end design agreement;
- (2) The open-end design agreement has been publicly announced; and
- (3) The open-end design agreement complies with procedures adopted by the University and approved by the State Building Commission under G.S. 116-31.11(a)(3).

(c) A community college capital improvement project where the estimated expenditure of public money is less than three hundred thousand dollars (\$300,000) is exempt from this Article if:

- (1) The architectural, engineering, or surveying services to be rendered are under an open-end design agreement;
- (2) The open-end design agreement has been publicly announced; and
- (3) The open-end design agreement complies with procedures adopted by the State Board of Community Colleges."

1 **SECTION 2.** This act is effective when it becomes law and expires
2 December 31, 2006.

Bill	Short Title	Primary Sponsor(s)	Companion Bill	Fiscal Notes?	Subject to Crossover?	Short Description	Meeting Notes
HB 583	COMM. COLL./LEAD AGENCY FOR JOB TRAINING.		NA	NO	<input checked="" type="checkbox"/>	adds a statement to the purpose statement of the NC Community College chapter that provides that the Community College System is the primary lead agency for delivering workforce development training, literacy, and adult education programs in the State.	
	10-Mar-05	SAULS TOLSON ENGLAND, M.D.					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

1

HOUSE BILL 583

Short Title: Comm. Coll./Lead Agency for Job Training.

(Public)

Sponsors: Representatives Sauls, Tolson, England (Primary Sponsors); B. Allen, Cole, Coleman, Faison, Farmer-Butterfield, Fisher, Parmon, Rapp, Wainwright, and Wray.

Referred to: Education Subcommittee on Community Colleges.

March 10, 2005

A BILL TO BE ENTITLED

AN ACT DESIGNATING THE COMMUNITY COLLEGE SYSTEM AS THE
PRIMARY LEAD AGENCY FOR DELIVERING WORKFORCE
DEVELOPMENT TRAINING, LITERACY, AND ADULT EDUCATION IN THE
STATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-1 reads as rewritten:

"§ 115D-1. Statement of purpose.

The purposes of this Chapter are to provide for the establishment, organization, and administration of a system of educational institutions throughout the State offering courses of instruction in one or more of the general areas of two-year college parallel, technical, vocational, and adult education programs, to serve as a legislative charter for such institutions, and to authorize the levying of local taxes and the issuing of local bonds for the support thereof. The major purpose of each and every institution operating under the provisions of this Chapter shall be and shall continue to be the offering of vocational and technical education and training, and of basic, high school level, academic education needed in order to profit from vocational and technical education, for students who are high school graduates or who are beyond the compulsory age limit of the public school system and who have left the public schools, provided, juveniles of any age committed to the Department of Juvenile Justice and Delinquency Prevention by a court of competent jurisdiction may, if approved by the director of the youth development center to which they are assigned, take courses offered by institutions of the system if they are otherwise qualified for admission.

The North Carolina Community College System is designated as the primary lead agency for delivering workforce development training, literacy, and adult education programs in the State."

SECTION 2. This act is effective when it becomes law.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from permanent sub committee(s) is/are presented:

By Representatives England and Sauls (Chairs) for the EDUCATION Subcommittee on
Community Colleges.

☐ Committee Substitute for

H.B. 552

A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE
CUSTOMIZED INDUSTRY TRAINING PROGRAM AND TO APPROPRIATE FUNDS FOR THE
PROGRAM.

REPORTED TO THE STANDING COMMITTEE ON

RECOMMENDED ACTION:

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill, ☐ which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, ☐ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: _____

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative Bell, Lucas, and McLawhorn for the Standing Committee on EDUCATION.

s/ Martin W. Lucas

- ☐ With a favorable report.
- ☐ With a favorable report, as amended.
- ☒ With a favorable report as to the committee substitute bill (~~#~~), ☐ which changes the title, unfavorable as to (the original bill) (~~Committee Substitute Bill #~~): (and recommendation that the committee substitute bill (~~#~~) be referred to the Committee on Appropriations.)

03/26/03

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from permanent sub committee(s) is/are presented:

By Representative England and Sauls (Chairs) for the EDUCATION Subcommittee on Community Colleges.

☐ Committee Substitute for

H.B. 576

A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE BID
PROCESS FOR SMALL COMMUNITY COLLEGE CAPITAL IMPROVEMENT PROJECTS.

REPORTED TO THE STANDING COMMITTEE ON

RECOMMENDED ACTION:

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill, ☐ which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, ☐ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: _____

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representatives Bell, Lucas, and McLawhorn for the Standing Committee on EDUCATION.

s/ Marvin W. Lucas

- ☐ With a favorable report.
- ☐ With a favorable report, as amended.
- ☒ With a favorable report as to the committee substitute bill (# _____), ☐ which changes the title, unfavorable as to (the original bill) (Committee Substitute Bill # _____). (and recommendation that the committee substitute bill (# _____) be referred to the Committee on _____.)

03/26/03

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from permanent sub committee(s) is/are presented:

By Representatives England and Sauls (Chairs) for the EDUCATION Subcommittee on
Community Colleges.

☐ Committee Substitute for

H.B. 583

A BILL TO BE ENTITLED AN ACT DESIGNATING THE
COMMUNITY COLLEGE SYSTEM AS THE PRIMARY LEAD AGENCY FOR DELIVERING
WORKFORCE DEVELOPMENT TRAINING, LITERACY, AND ADULT EDUCATION IN THE
STATE.

REPORTED TO THE STANDING COMMITTEE ON

RECOMMENDED ACTION:

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill, ☐ which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, ☐ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: _____

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representatives Bell, Lucas, and McLawhorn for the Standing Committee on EDUCATION.

s/ Maxine W. Lucas

- ☒ With a favorable report.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report as to the committee substitute bill (#), ☐ which changes the title, unfavorable as to (the original bill) (Committee Substitute Bill #). (and recommendation that the committee substitute bill (#) be referred to the Committee on).

03/26/03

House Pages

Education

Name Of Committee: Concord College Date: 3/23/05

1. Name: Monte Arroy

County: Wake

Sponsor: Jennifer Weiss

2. Name: JUSTIN CREASMAN

County: Forsyth

Sponsor: McGee

3. Name: Darby Crouch

County: Catawba

Sponsor: Rep. Setzer

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt-At-Arms

1. Name: Willie Pison

2. Name: Martha Ladison

3. Name: _____

4. Name: _____

5. Name: _____

VISITOR REGISTRATION SHEET

Education Sub-Committee on Community Colleges
Name of Committee

March 24, 2005
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

CLIFF MITCHELL	Comm COLLEGES
Elizabeth Brown	OSBN
Barbara Payne	Edmisten & Webb
Jack Cozart	ACEC-NC
Kathryn Sawyer	ACEC/NC
David J. Sullivan	NCCCS
Sharon Rosado	NCCCS
Ken Byrnes	"
Annette Davidson	Sollectron Corporation
Larry Keen	NCCCS
Hal Miller	NCACEC
Jack Sullivan	Sollectron

VISITOR REGISTRATION SHEET

Education Community Colleges

Name of Committee

3/24/05

Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE ASSISTANT

NAME

FIRM OR AGENCY

Tim Dorell
Raymond S. Chid

NCKY
Raymond S. Chid & Associates