

2009

**HOUSE
EDUCATION –
COMMUNITY COLLEGES**

MINUTES

ATTENDANCE

Education Subcommittee on Community Colleges – 2009 - 2010

(Name of Committee)

[illegible]

**MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES**

March 5, 2009

The House Education Subcommittee on Community Colleges met on Thursday, March 5, 2009, in Room 424 of the Legislative Office Building at 11:00 a.m. The following members were present: Representative Jimmy L. Love, Sr., Chairman; Representatives Alice Bordsen, Bob England, and Marian McLawhorn, Vice Chairs; and Representatives Marilyn Avila, Jerry Dockham, Elmer Floyd, Melanie Wade Goodwin, Pat Hurley, James Langdon, Darrell McCormick, Bonner Stiller, Joe Tolson, Ray Warren, and Winkie Wilkins. Staff Counselors Shirley Iorio and Kara McCraw were also in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman Love called the meeting to order and requested that each member of the Committee introduce him- or herself and provide a brief explanation of his or her connection to community colleges. He then recognized pages Sean Hartness of Vance County, sponsored by Representative Jim Crawford and Melissa Young of Caswell County, sponsored by Representative Bill Faison. Representative Love also recognized and thanked Sergeants-at-Arms John Brandon, Martha Parrish, and Ken Burroughs for their service.

The following bills were considered:

HB 198, AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR DIFFERENTIATED FUNDING OF COMMUNITY COLLEGE ALLIED HEALTH PROGRAMS. Representative McLawhorn was recognized to explain the bill, a request from the Community College System. Following a brief explanation and upon motion made by Representative Tolson, the committee voted for a favorable report and recommendation that the Bill be re-referred to the Appropriations Committee. Copies of the Bill and Bill Summary are attached as part of these minutes.

HB 199, AN ACT TO APPROPRIATE FUNDS TO INCREASE THE SALARIES OF FULL-TIME COMMUNITY COLLEGE FACULTY AND PROFESSIONAL STAFF. Representative McLawhorn was recognized to explain the bill, a request from the Community College System. She noted that the salaries of the community college faculty and staff were low, 79th of the national average and that raising these salaries is a priority item. If the funding is approved, North Carolina would reach the average by 2013.

Representative Avila asked who the professional staff for the community colleges were. Representative Love recognized Kennon Briggs, Executive Vice President and Chief Operating Officer of the North Carolina Community College System, who explained that professional staff included all those individuals who were not faculty, not clerical, and not the President. They included all those who had student support functions, i.e., counselors and other academic support staff.

Upon Representative Love's request, Mr. Briggs then introduced two of his staff members, Jennifer Haygood, Vice President of Business and Finance, and Jennifer Willis, Director of Governmental Relations.

Representative Avila asked why the professional staff were higher paid than the faculty. Mr. Briggs replied that for comparison purposes nationally, faculty salaries were based on a nine-month contract (legislative requirements) while all other reported salaries were based on twelve months.

Upon motion made by Representative Bordsen, the committee voted for a favorable report and recommendation that the Bill be re-referred to the Appropriations Committee. Copies of the Bill and Bill Summary are attached as part of these minutes.

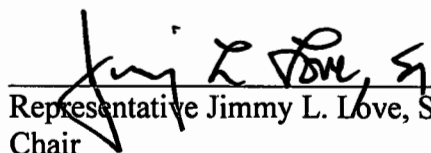
HB 228, AN ACT TO CREATE A SALES AND USE TAX REFUND FOR COMMUNITY COLLEGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE. Representative Tolson was recognized to explain the bill. He explained that it was, basically, a fairness bill; the University system gets a refund for the taxes it pays and the Community College system should also be allowed to receive a refund. Representative Avila asked about getting a tax id number and not worrying about getting a refund to which Representative Tolson replied that probably will be done in the future, but at this time it was decided to follow the University system's lead.

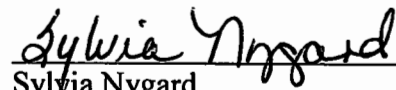
Representative McLawhorn moved that the Bill be given a favorable report and recommendation that the bill be re-referred to the Finance Committee. This was unanimously approved by the Committee. The Bill and Bill Summary are attached as part of these minutes.

Kara McCraw gave an overview of the State Board of Community Colleges' (SBCC) elections to fill upcoming vacancies. She reviewed the preferred timeline which is as follows: On Monday, March 16, 2009, nomination forms would be distributed which would then be due, together with the Statement of Economic Interest, in the Clerk's Office and Ethics Commission by Wednesday, April 1, 2009. Elections in the House and Senate would then be held on Thursday, April 23, 2009. This would give the Committee about two-and-a-half weeks to consider the candidates. There are 21 seats, of which the House elects 4 and the Senate elects 4. Ms. McCraw noted that there were two vacancies to fill this year, one of which was currently held by Jim Daniels from Asheville and the other by Anita Powers from Wallace. Each is eligible to run again. The term is six years for a maximum of two consecutive terms.

There being no further business, Chairman Love adjourned the meeting at 11:30 a.m.

Respectfully submitted,


Representative Jimmy L. Love, Sr.
Chair


Sylvia Nygard
Committee Assistant

Attachments:

Agenda
House Bills 198, 199, 228
Committee Reports
Visitor Registration Sheets

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2009-2010 SESSION**

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

DAY & DATE: Thursday, March 5, 2009

TIME: 11:00 am

LOCATION: 424 LOB

COMMENTS:

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
HB 198	Differentiated Funding/Allied Health Programs.	Representative McLawhorn Representative Glazier Representative Tolson Representative Rapp
HB 199	Salary Funds/Comm. Coll. Faculty and Staff.	Representative McLawhorn Representative Tolson Representative Rapp Representative Glazier
HB 228	Community College Sales Tax Refund.	Representative Tolson Representative McLawhorn Representative Johnson Representative Yongue

Respectfully,
Representative Love, Chair

I hereby certify this notice was filed by the committee assistant at the following offices at
9:30 a.m. o'clock on March 03, 2009.

X Principal Clerk

X Reading Clerk – House Chamber

Sylvia Nygard (Committee Assistant)

AGENDA
Education Subcommittee on Community Colleges

March 5, 2009
11:00 A.M.
Room 424, LOB

I. CALL TO ORDER Representative Jimmy L. Love, Sr., Chair

II. BILLS TO BE HEARD

HB 198	Differentiated Funding/Allied Health Programs	Rep. McLawhorn Rep. Glazier Rep. Tolson Rep. Rapp
HB 199	Salary Funds/Comm. Coll. Faculty and Staff	Rep. McLawhorn Rep. Tolson Rep. Rapp Rep. Glazier
HB 228	Community College Sales Tax Refund	Rep. Tolson Rep. McLawhorn Rep. Johnson Rep. Yongue

III. OTHER BUSINESS

State Board of Community Colleges Elections Overview

IV. ADJOURNMENT



HOUSE BILL 198: Differentiated Funding/Allied Health Programs

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 5, 2009
Introduced by:	Reps. McLawhorn, Glazier, Tolson, Rapp	Prepared by:	Shirley Iorio, Ph D Legislative Analyst
Analysis of:	First Edition		

SUMMARY: *House Bill 198 would appropriate funds to provide for differentiated funding of community college Allied Health Programs.*

This bill has a serial referral to Appropriations.

BILL ANALYSIS: House Bill 198 would require the State Board of Community Colleges to do all of the following:

- identify the Allied Health Programs within the Community College System (System);
- weigh the costs of Allied Health Programs as a group against all other programs within the System; and
- modify its funding formula to allow for differentiation in funding between Allied Health Programs and all other programs.

House Bill 198 would appropriate from the General Fund to the Community Colleges System Office \$9,300,000 for the 2009-2010 fiscal year and \$18,600,000 for the 2010-2011 fiscal year to provide for this differentiated funding for Allied Health Programs.

EFFECTIVE DATE: The act would become effective July 1, 2009.

BACKGROUND: Approximately 85% of workers enrolled in allied health education programs are trained through the community colleges, with most professions retaining 75% of those students within the State after graduation.

In the North Carolina Community College System Allied Health Programs (associate degree and diploma programs) cost about one and one half times more than other programs. They carry a weighted cost of 1.47 more than per capita funding, or \$1,646 per FTE student. To date, the General Assembly has provided \$443 per FTE toward that need.

Allied Health Programs include registered nurses, medical assistants, pharmacy technicians, physical therapy assistants, dental hygienists, home health aides, etc.

H198-SMSF-6(e1) v3

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 198*

Short Title: Differentiated Funding/Allied Health Programs. (Public)

Sponsors: Representatives McLawhorn, Glazier, Tolson, Rapp (Primary Sponsors);
M. Alexander, Bell, Blackwell, Blackwood, Braxton, Crawford, Dollar, England,
Faison, Gibson, Haire, Howard, Insko, Jeffus, Langdon, Lucas, Moore, Tarleton,
Wainwright, Weiss, Wilkins, Williams, and Wray.

Referred to: Education, if favorable, Appropriations.

February 18, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR DIFFERENTIATED FUNDING
3 OF COMMUNITY COLLEGE ALLIED HEALTH PROGRAMS.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.(a)** The State Board of Community Colleges shall identify the Allied
6 Health Programs within the Community College System and shall weigh the costs of Allied
7 Health Programs as a group against all other programs within the System. The State Board shall
8 modify its funding formula to allow for differentiation in funding between Allied Health
9 Programs and all other programs.
10 **SECTION 1.(b)** There is appropriated from the General Fund to the Community
11 Colleges System Office the sum of nine million three hundred thousand dollars (\$9,300,000)
12 for the 2009-2010 fiscal year and the sum of eighteen million six hundred thousand dollars
13 (\$18,600,000) for the 2010-2011 fiscal year to provide for differentiated funding for Allied
14 Health Programs.
15 **SECTION 2.** This act becomes effective July 1, 2009.





HOUSE BILL 199: Salary Funds/Comm. Coll. Faculty and Staff

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 5, 2009
Introduced by:	Reps. McLawhorn, Tolson, Rapp, Glazier	Prepared by:	Shirley Iorio, Ph D
Analysis of:	First Edition		Legislative Analyst

SUMMARY: *House Bill 199 would appropriate funds to increase the salaries of full-time community college faculty and professional staff.*

This bill has a serial referral to Appropriations.

BILL ANALYSIS: House Bill 199 would provide the following appropriation from the General Fund to the Community Colleges System Office:

- \$29,800,000 for the 2009-2010 fiscal year, and
- \$59,600,000 for the 2010-2011 fiscal year.

This appropriation would help to increase the salaries of full-time community college faculty and professional staff to the national average.

EFFECTIVE DATE: The bill would become effective July 1, 2009.

BACKGROUND: North Carolina's average faculty salary for 2007-2008 was \$46,224 which is 79% of the average national salary (\$58,522). North Carolina ranks 40th in the United States and next to last in the region for community college faculty salaries.

Professional staff that support North Carolina students earn, on average, \$55,694, compared to \$69,959 for their peers nationally.

H199-SMSF-5(e1) v2

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 199

Short Title: Salary Funds/Comm. Coll. Faculty and Staff. (Public)

Sponsors: Representatives McLawhorn, Tolson, Rapp, Glazier (Primary Sponsors);
M. Alexander, Bell, Blackwood, Bordsen, Braxton, Bryant, Cotham, Crawford,
Dickson, Dockham, Dollar, England, Faison, Fisher, Gibson, Haire, Harrison,
Howard, Hughes, Hurley, Insko, Jeffus, Langdon, Lewis, Lucas, Mackey,
Moore, Tarleton, Wainwright, Wilkins, Williams, Womble, and Wray.

Referred to: Education, if favorable, Appropriations.

February 18, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO INCREASE THE SALARIES OF FULL-TIME
3 COMMUNITY COLLEGE FACULTY AND PROFESSIONAL STAFF.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** There is appropriated from the General Fund to the Community
6 Colleges System Office the sum of twenty-nine million eight hundred thousand dollars
7 (\$29,800,000) for the 2009-2010 fiscal year and the sum of fifty-nine million six hundred
8 thousand dollars (\$59,600,000) for the 2010-2011 fiscal year to begin increasing the salaries of
9 full-time community college faculty and community college professional staff to the national
10 average.
11 **SECTION 2.** This act becomes effective July 1, 2009.



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HOUSE BILL 228: Community College Sales Tax Refund

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 5, 2009
Introduced by:	Reps. Tolson, McLawhorn, Johnson, Yongue	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 228 would allow an annual refund of state and local sales and use taxes for community colleges.*

[As introduced, this bill was identical to S313, as introduced by Sen. Swindell, which is currently in Senate Appropriations/Base Budget.]

CURRENT LAW: G.S. 105-164.14 authorizes certain refunds of the sales and use tax. Subsection (c) specifically authorizes an annual refund of the sales and use tax paid by certain governmental entities on direct purchases of tangible personal property and services, other than electricity, telecommunications services and ancillary services. Certain indirect sales and use liability incurred by the governmental entity related to building materials, supplies, fixtures and equipment which will become a part of a structure owned or leased by the governmental entity are also refundable. The governmental entity must request the refund in writing with required documentation within six months after the end of the governmental entity's fiscal year. The list of current governmental entities includes constituent institutions of The University of North Carolina for certain purchases, and The University of North Carolina Health Care System.

G.S. 105-467(b) provides that the State refund provisions contained in G.S. 105-164.14 apply to the local sales and use tax authorized to be levied and imposed under the Article providing for a first one cent (1¢) local government sales and use tax (Article 39 of Chapter 105).

G.S. 115D-2(2) defines community college as an educational institution operating under the provisions of Chapter 115D dedicated primarily to the educational needs of the service area which it serves, and which may offer freshmen and sophomore courses of a college of arts and sciences, organized credit curricula for the training of technicians, vocational, trade, and technical specialty courses and programs, and courses in general adult education.

BILL ANALYSIS: House Bill 228 would add community colleges, as defined in G.S. 115D-2, to the list of governmental entities authorized to receive refunds of the state and local sales and use tax.

EFFECTIVE DATE: House Bill 228 would become effective July 1, 2009, and would apply to purchases made on or after that date.

BACKGROUND: This bill is a recommendation of the Joint Legislative Education Oversight Committee. The Committee found that The University of North Carolina system was made eligible in 2003 for a full refund of the State and local sales and use tax, but that the North Carolina Community College System has not been made eligible for a refund of the State and local sales and use tax.

H228-SMTC-9(e1) v2

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 228*

Short Title: Community College Sales Tax Refund. (Public)

Sponsors: Representatives Tolson, McLawhorn, Johnson, Yongue (Primary Sponsors); Blackwood, Bordsen, Burr, Cleveland, Cotham, Dickson, Dockham, Dollar, England, Faison, Fisher, Frye, Glazier, Hilton, Hurley, Insko, Jackson, Jeffus, Langdon, Lucas, McGee, Spear, Tarleton, Tillis, Tucker, Wainwright, E. Warren, R. Warren, Wiley, Wilkins, and Wray.

Referred to: Education, if favorable, Finance.

February 23, 2009

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A SALES AND USE TAX REFUND FOR COMMUNITY
3 COLLEGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION
4 OVERSIGHT COMMITTEE.
5 The General Assembly of North Carolina enacts:
6 **SECTION 1.** G.S. 105-164.14(c) is amended by adding a new subdivision to read:
7 "(c) Certain Governmental Entities. – A governmental entity listed in this subsection is
8 allowed an annual refund of sales and use taxes paid by it under this Article on direct purchases
9 of tangible personal property and services, other than electricity, telecommunications service,
10 and ancillary service. Sales and use tax liability indirectly incurred by a governmental entity on
11 building materials, supplies, fixtures, and equipment that become a part of or annexed to any
12 building or structure that is owned or leased by the governmental entity and is being erected,
13 altered, or repaired for use by the governmental entity is considered a sales or use tax liability
14 incurred on direct purchases by the governmental entity for the purpose of this subsection. A
15 request for a refund must be in writing and must include any information and documentation
16 required by the Secretary. A request for a refund is due within six months after the end of the
17 governmental entity's fiscal year.
18 This subsection applies only to the following governmental entities:
19 ...
20 (20) A constituent institution of The University of North Carolina, but only with
21 respect to sales and use tax paid by it for tangible personal property or
22 services that are eligible for refund under this subsection acquired by it
23 through the expenditure of contract and grant funds.
24 (20a) A community college as defined in G.S. 115D-2.
25 (21) The University of North Carolina Health Care System.
26"
27 **SECTION 2.** This act becomes effective July 1, 2009, and applies to purchases
28 made on or after that date.



**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

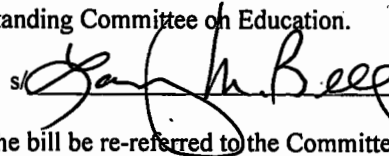
☐ Committee Substitute for

HB 198 A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR
DIFFERENTIATED FUNDING OF COMMUNITY COLLEGE ALLIED HEALTH PROGRAMS.

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

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

s/



☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations.

(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 _____

**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 199 A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE
THE SALARIES OF FULL-TIME COMMUNITY COLLEGE FACULTY AND PROFESSIONAL
STAFF.

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

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

Lucas Bell

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations.

(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 _____

**2009 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

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By Representative(s) Love (Chair) for the Education Subcommittee on Community Colleges.

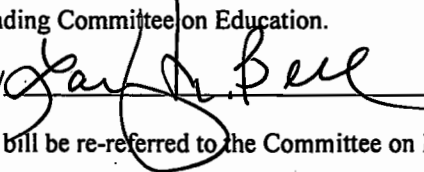
☐ Committee Substitute for

HB 228 A BILL TO BE ENTITLED AN ACT TO CREATE A SALES AND USE TAX
REFUND FOR COMMUNITY COLLEGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE
EDUCATION OVERSIGHT COMMITTEE.

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

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

s/



☒ With a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

(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 Subcommittee on Community Colleges

Name of Committee

March 5, 2009
Date

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME**FIRM OR AGENCY AND ADDRESS**

Alicia Davis

NWC

Terry Hardy

NLPC

Amy McLemore

DOR

Andy Sabol

OK

Emily Hawthorne

EAGR

Ginny Simulso

GSK
WTCC

VISITOR REGISTRATION SHEET

Education Subcommittee on Community Colleges

Name of Committee

March 5th 2009

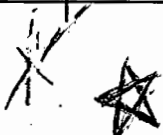
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

HUGH TILSON	NCHTA
JENNIFER WILLIS	NCCCS
KENN BRIGGS	"
JENNIFER NAYGOLD	"
ERIC PETERSON	NCAg



House Pages

Name Of Committee: Community colleges

Date: March 5, 2009

1. Name: Sean Hartness

County: Vance

Sponsor: Crawford

2. Name: Melissa Young

County: Caswell

Sponsor: Rep. Bill Faison

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt-At-Arms

1. Name: John Brandon

2. Name: MARTHA PARRISH

3. Name: KEN BURROUGHS

4. Name: _____

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES

March 19, 2009

The House Education Subcommittee on Community Colleges met on Thursday, March 19, 2009, in Room 424 of the Legislative Office Building at 11:00 a.m. The following members were present: Representative Jimmy L. Love, Sr., Chairman; Representatives Alice Bordsen, and Marian McLawhorn, Vice Chairs; and Representatives Marilyn Avila, Larry Brown, George Cleveland, Elmer Floyd, Melanie Wade Goodwin, Pat Hurley, James Langdon, Darrell McCormick, Joe Tolson, Ray Warren, and Winkie Wilkins. Staff Counselors Shirley Iorio and Kara McCraw were also in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman Love called the meeting to order. He recognized pages Donna Every of Polk County, sponsored by Representative David Guice; Jared Knecht of New Hanover County, sponsored by Representative Carolyn Justice; and Najdiyyah Phipps of Guilford County, sponsored by Representative Laura Wiley. Representative Love also recognized and thanked Sergeants-at-Arms John Brandon and Martha Parrish for their service.

The following bills were considered:

HB 391, AN ACT AUTHORIZING COMMUNITY COLLEGES TO OFFER NONCREDIT COURSES IN SAFE DRIVING TO HIGH SCHOOL STUDENTS DURING THE SCHOOL YEAR. Representative Tolson moved for the adoption of an amendment to the bill. The amendment was adopted. Following a brief explanation of the bill by Representative Daughtry and Jim Lawrence of Johnston County and upon motion made by Representative Cleveland, the committee voted for a favorable report as amended, and be re-referred to the Committee on Transportation. Copies of the Bill, the Bill Summary, the Amendment, and the Committee Substitute are attached as part of these minutes.

HJR 485, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES. Representative McLawhorn presided while Representative Love explained the bill. Upon motion made by Representative Tolson, the committee voted for a favorable report and recommendation that the Bill be sent straight to the floor of the House. Copies of the Bill and Bill Summary are attached as part of these minutes.

HB 490, AN ACT TO GRANT ADDITIONAL PURCHASING FLEXIBILITY TO COMMUNITY COLLEGES AND TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO STUDY THE NEED FOR FURTHER PURCHASING FLEXIBILITY. Representative Tolson was recognized to explain the bill. He explained that it would allow the Community Colleges to enjoy the same purchasing process that the University system currently employs; a community college can purchase an item at a local establishment if the price is the same or less than the contracted price. Kenneth Briggs, Executive Vice President of Community Colleges, noted that it was not an attempt to discredit Purchasing, but just to enable Community Colleges to purchase locally. The Community Colleges are just asking for the same flexibility as the university system has had for 6 years.

Representative Wilkins moved that the Bill be given a favorable report and recommendation that the bill be re-referred to the Committee on Ways and Means/Broadband Connectivity. This was unanimously approved by the Committee. The Bill and Bill Summary are attached as part of these minutes.

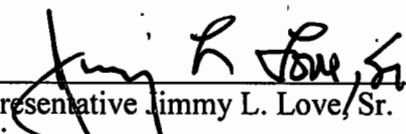
HB 491, AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO TEACH DEVELOPMENTAL COURSES AND COLLEGE SUCCESS SKILLS COURSES AT ANY TIME DURING THE YEAR, INCLUDING THE SUMMER TERM AND TO EARN BUDGET FTE FOR THE COURSES.

Representative Tolson moved that the Committee Substitute be approved; he then proceeded to explain the bill. After discussion among the committee members, Representative McLawhorn moved for a favorable report as to the Committee Substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations. The motion was approved. Copies of the Bill, the Bill Summary, and the Committee Substitute are attached as part of these minutes.

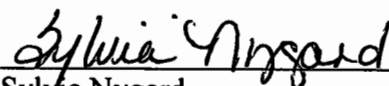
HB 492, AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO EARN BUDGET FTE FOR CERTAIN OCCUPATIONAL EXTENSION COURSES. Representative Tolson was recognized to explain the bill. Representative Langdon moved for that the Bill be given a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations. The motion was approved. Copies of the Bill and the Bill Summary are attached as part of these minutes.

There being no further business, Chairman Love adjourned the meeting at 11:40 a.m.

Respectfully submitted,



Representative Jimmy L. Love, Sr.
Chair



Sylvia Nygard
Committee Assistant

Attachments:

Agenda
House Bills 391, 485, 490, 491, 492
Committee Reports
Visitor Registration Sheets

AGENDA

Education Subcommittee on Community Colleges

March 19, 2009

11:00 A.M.

Room 424, LOB

I. CALL TO ORDER

Representative Jimmy L. Love, Sr., Chair

II. BILLS TO BE HEARD

HB 391	Community Colleges May Offer Safety Driving Course	Rep. Daughtry Rep. Langdon
HJR 485	State Board of Community College Elections	Rep. Love, Sr.
HB 490	Purchasing Process for Community Colleges	Rep. Tolson Rep. Dockham Rep. Barnhart Rep. Lucas
HB 491	Community College Developmental Courses	Rep. Tolson Rep. McLawhorn Rep. Wray Rep. Dockham
HB 492	Occupational Extension Courses Earn Budget FTE	Rep. Tolson Rep. Wray Rep. Dockham Rep. Lucas

III. OTHER BUSINESS

IV. ADJOURNMENT



HOUSE BILL 391: Comm. Coll. May Offer Safety Driving Course

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 19, 2009
Introduced by:	Reps. Daughtry, Langdon	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

SUMMARY: *HB 391 would allow local boards of trustees of community colleges to permit high school students to take noncredit courses in safe driving on a self-supporting basis during the academic year or the summer.*

CURRENT LAW: G.S. 115D-1 provides that the major purpose of each community college is to offer vocational and technical education and training and 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 attendance age (age 16) and who have left the public schools. Except for specific exceptions provided in statute, high school students and persons under the age of 16 are not permitted to enroll in community college courses.

G.S. 115D-20(4) delegates to the local board of trustees of a community college (local boards) the duty of applying the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges (State Board). Two exceptions are provided in that subdivision.

- Cooperative programs may be established between local administrative boards and local school boards to provide college courses to qualified high school students to earn college credit.
- During the summer quarter, persons less than 16 may be permitted to take noncredit courses on a self-supporting basis, subject to rules of the State Board.

BILL ANALYSIS: HB 391 would add an additional exception to G.S. 115D-20(4) to permit high schools students to take noncredit courses in safe driving on a self-supporting basis during the academic year or the summer, subject to rules of the State Board.

EFFECTIVE DATE: HB 391 would become effective when it becomes law.

H391-SMTC-18(e1) v2



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 391

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H391-ATC-11 [v.1]

Page 1 of 1

Comm. Sub. [NO]
Amends Title [NO]
First Edition

Date March 19, 2009

Representative Langdon

- 1 moves to amend the bill on page 1, line 6, by deleting the citation "G.S. 115D-20-4" and
2 replacing it with the citation "G.S. 115D-20(4)".

SIGNED

[Signature]
Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

✓

FAILED

TABLED



* H 3 9 1 - A T C - 1 1 - V - 1 *

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

D

HOUSE BILL 391
PROPOSED COMMITTEE SUBSTITUTE H391-PCS70206-TC-10

Short Title: Comm. Coll. May Offer Safety Driving Course.

(Public)

Sponsors:

Referred to:

March 4, 2009

A BILL TO BE ENTITLED

AN ACT AUTHORIZING COMMUNITY COLLEGES TO OFFER NONCREDIT
COURSES IN SAFE DRIVING TO HIGH SCHOOL STUDENTS DURING THE
SCHOOL YEAR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-20(4) reads as rewritten:

"§ 115D-20. Powers and duties of trustees.

The trustees of each institution shall constitute the local administrative board of such institution, with such powers and duties as are provided in this Chapter and as are delegated to it by the State Board of Community Colleges. The powers and duties of trustees shall include the following:

(4) To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges. Provided, notwithstanding any law or administrative rule to the contrary, local administrative boards and local school boards may establish cooperative programs in the areas they serve to provide for college courses to be offered to qualified high school students with college credits to be awarded to those high school students upon the successful completion of the courses. Provided, further, that during the summer quarter, persons less than 16 years old may be permitted to take noncredit courses on a self-supporting basis, subject to rules of the State Board of Community Colleges. Provided, further, that high school students older than 14 years and six months may be permitted to take noncredit courses in safe driving on a self-supporting basis during the academic year or the summer, subject to rules of the State Board of Community Colleges."

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



* H 3 9 1 - P C S 7 0 2 0 6 - C S T C - 1 0 *

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 391

Short Title: Comm. Coll. May Offer Safety Driving Course. (Public)

Sponsors: Representatives Daughtry, Langdon (Primary Sponsors); Brown, Hughes, Lucas, and McGee.

Referred to: Education, if favorable, Transportation.

March 4, 2009

A BILL TO BE ENTITLED
AN ACT AUTHORIZING COMMUNITY COLLEGES TO OFFER NONCREDIT
COURSES IN SAFE DRIVING TO HIGH SCHOOL STUDENTS DURING THE
SCHOOL YEAR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-20(4) reads as rewritten:

"§ 115D-20. Powers and duties of trustees.

The trustees of each institution shall constitute the local administrative board of such institution, with such powers and duties as are provided in this Chapter and as are delegated to it by the State Board of Community Colleges. The powers and duties of trustees shall include the following:

- ...
- (4) To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges. Provided, notwithstanding any law or administrative rule to the contrary, local administrative boards and local school boards may establish cooperative programs in the areas they serve to provide for college courses to be offered to qualified high school students with college credits to be awarded to those high school students upon the successful completion of the courses. Provided, further, that during the summer quarter, persons less than 16 years old may be permitted to take noncredit courses on a self-supporting basis, subject to rules of the State Board of Community Colleges. Provided, further, that high school students may be permitted to take noncredit courses in safe driving on a self-supporting basis during the academic year or the summer, subject to rules of the State Board of Community Colleges."

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





HOUSE JOINT RESOLUTION 485: State Bd. of Community College Elections

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 19, 2009
Introduced by:	Rep. Love	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Joint Resolution 485 would establish Thursday, April 23, 2009, as the date for the House of Representatives and Senate to elect members to the State Board of Community Colleges.*

CURRENT LAW: G.S. 115D-2.1(b)(4)(f) sets out the procedure for elections by the House of Representatives and the Senate to the State Board of Community Colleges (State Board). The procedures include the following requirements:

- The Speaker of the House and the President Pro Tempore must assign to a committee of their respective houses the duty of receiving nominations of persons to be considered for election by that house to the State Board.
- Chairs of the assigned committees must jointly determine a nomination period. Each member may nominate only one candidate. A person may not simultaneously be a candidate in both houses.
- Once the nominating period is closed, the assigned committee must vote on whether each candidate will be listed as a nominee of the committee. Nominations must be screened by the assigned committee as to their qualifications, background, lack of statutory disabilities, and willingness and ability to serve if elected. At least one candidate must be nominated by the committee for each vacancy; however, if there are sufficient candidates, the committee must nominate at least two persons for each vacancy.
- **The House of Representative and Senate must fix a common date and time by joint resolution for election of members to the State Board.** The committee must report its list of nominees at the election session. No additional nominees are allowed from the floor.
- A nominee is chosen when that person receives the votes of a majority of all members present and voting.

BILL ANALYSIS: As required by G.S. 115D-2.1(b)(4)(f), House Joint Resolution 485 would establish Thursday, April 23, 2009, as the date for election of members to the State Board by the House of Representatives and the Senate.

EFFECTIVE DATE: This joint resolution would become effective upon ratification.

BACKGROUND: Twenty-one members serve on the State Board of Community Colleges in staggered six-year terms, four of which are elected by the House in a staggered election cycle. In 2009, the House must elect two members from the State at-large to six-year terms beginning July 1, 2009. This year, the terms of Mr. Jim W. Daniels and Ms. Anita R. Powers, who were elected by the House of Representatives, will expire on June 30, 2009. Both Mr. Daniels and Ms. Powers are eligible for re-election.

H485-SMTC-17(e1) v1

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE JOINT RESOLUTION 485

Sponsors: Representatives Love; Bordsen, Coates, Lucas, and Wray.

Referred to: Rules, Calendar, and Operations of the House.

March 9, 2009

1 A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF
2 REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE
3 BOARD OF COMMUNITY COLLEGES.

4 Be it resolved by the House of Representatives, the Senate concurring:

5 **SECTION 1.** Pursuant to G.S. 115D-2.1(b)(4)f., the House of Representatives and
6 the Senate shall elect members to the State Board of Community Colleges during the regular
7 sessions of the two chambers to be held on Thursday, April 23, 2009. At that time the House of
8 Representatives shall elect two members to the State Board for respective terms of six years
9 beginning July 1, 2009. The Senate shall also elect two members to the State Board for
10 respective terms of six years beginning July 1, 2009.

11 **SECTION 2.** Each chamber shall follow the procedure set out in G.S. 115D-2.1 for
12 the nomination and election of members of the State Board.

13 **SECTION 3.** This resolution is effective upon ratification.





HOUSE BILL 490: Purchasing Process for Community Colleges

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 19, 2009
Introduced by:	Reps. Tolson, Dockham, Barnhart, Lucas	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

SUMMARY: HB 490 would:

- *Permit community colleges purchase flexibility on items that are the same or substantially similar in quality, service, and performance as items available under State term contracts when other current statutory conditions for purchase flexibility are also met.*
- *Require the State Board of Community Colleges (State Board) to review the purchasing process, consider whether the State Board should have authority to increase the bid value benchmark for individual community colleges, and report to the Joint Legislative Education Oversight Committee on its findings.*

[As introduced, this bill was identical to S419, as introduced by Sen. Clodfelter, which is currently in Senate Education/Higher Education.]

CURRENT LAW: G.S. 115D-58.14 provides for purchasing flexibility for community colleges. Community colleges may purchase the same supplies, equipment, and materials from noncertified sources as are available under State term contracts under the following conditions:

- The purchase price, including delivery cost, is less than the cost under the State term contract; and
- The cost of the purchase does not exceed the bid value benchmark established in G.S. 143-53.1.

The State Board and Department of Administration shall adopt policies and procedures for monitoring implementation.

BILL ANALYSIS: HB 490 would:

- Eliminate the requirement in G.S. 115D-58.14 that items purchased must be the same as items available under State term contracts.
- Create a new condition in G.S. 115D-58.14 that the items purchased must be the same or substantially similar in quality, service, and performance as items available under State term contracts.
- Require the State Board to review the purchasing process for community colleges, and consider whether the State Board should have authority to increase the bid value benchmark for each community college based on the college's overall capabilities, including staff resources, purchasing compliance reviews, and audit reports. The State Board would be required to report the results of the study to the Joint Legislative Education Oversight Committee prior to March 30, 2010.

EFFECTIVE DATE: This act would become effective when it becomes law.

H490-SMTC-20(e1) v2

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 490

Short Title: Purchasing Process for Community Colleges. (Public)

Sponsors: Representatives Tolson, Dockham, Barnhart, Lucas (Primary Sponsors); Blackwood, Bordsen, Carney, Coates, Cotham, Dollar, England, Goodwin, Gulley, Harrison, Hurley, Jackson, Johnson, Langdon, Martin, Samuelson, Tarleton, Underhill, E. Warren, R. Warren, and Williams.

Referred to: Education, if favorable, Ways and Means/Broadband Connectivity.

March 9, 2009

A BILL TO BE ENTITLED
AN ACT TO GRANT ADDITIONAL PURCHASING FLEXIBILITY TO COMMUNITY
COLLEGES AND TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES
TO STUDY THE NEED FOR FURTHER PURCHASING FLEXIBILITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-58.14 reads as rewritten:

"§ 115D-58.14. Purchasing flexibility.

(a) Community colleges may purchase ~~the same~~ supplies, equipment, and materials from noncertified sources ~~as that~~ are available under State term contracts, subject to the following conditions:

- (1) The purchase price, including the cost of delivery, is less than the cost under the State term contract; ~~and~~
- (2) The cost of the purchase shall not exceed the bid value benchmark established under ~~G.S. 143-53.1~~ G.S. 143-53.1; ~~and~~
- (3) The items are the same or substantially similar in quality, service, and performance as items available under State term contracts.

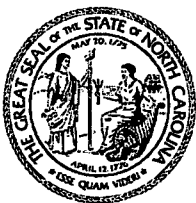
(b) The State Board of Community Colleges and the Department of Administration shall adopt policies and procedures for monitoring the implementation of this section."

SECTION 2. The State Board of Community Colleges shall review the purchasing process for community colleges and shall consider whether the State Board of Community Colleges should have the authority to increase the bid value benchmark for each community college based on the college's overall capabilities, including staff resources, purchasing compliance reviews, and audit reports.

The State Board of Community Colleges shall report the results of its study to the Joint Legislative Education Oversight Committee prior to March 30, 2010.

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





HOUSE BILL 491: Community College Developmental Courses

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 19, 2009
Introduced by:	Reps. Tolson, McLawhorn, Wray, Dockham	Prepared by:	Shirley Iorio, Ph D
Analysis of:	PCS to First Edition H491-CSSF-6		Legislative Analyst

SUMMARY: *The Proposed Committee Substitute (PCS) to House Bill 491 would authorize the community colleges to teach developmental courses and college success skills courses at any time during the year, including the summer term, and earn budget FTE for the courses. This bill has a serial referral to Appropriations.*

The PCS changed the subsection from "s" to "u".

[As introduced, this bill was identical to S485, as introduced by Sen. Clodfelter, which is currently in Senate Ref to Education/Higher Education. If fav, re-ref to Appropriations/Base Budget.]

CURRENT LAW: G.S. 115D-5 governs the administration of community colleges by the State Board of Community Colleges (State Board). The State Board is authorized to adopt and implement policies, regulations and standards concerning the establishment, administration, and operation of institutions that the State Board deems necessary to insure the quality of educational programs, to promote systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the community colleges.

BILL ANALYSIS: Currently community colleges teach developmental courses and college success skills courses only during the academic year. The PCS to House Bill 491 would allow community colleges to offer these courses during the summer and earn budgeted FTE for the summer courses. Both developmental courses and college success skills courses are non-credit courses. If these courses could be offered in the summer semester it could provide continuous learning opportunities for students needing developmental courses and place them on track in the fall semester.

EFFECTIVE DATE: The act would become effective July 1, 2009.

BACKGROUND: When students go to a community college they are given a placement test to determine their course level. For students who are not ready for college level coursework, developmental courses and college success skills courses are offered. Developmental courses are offered in English, mathematics, and reading, and college success skills courses include study skills that will help students be successful in college level courses.

A pilot program at Central Piedmont Community College indicated that offering developmental courses and college success skills courses during the summer semester helps with retention of students and with increasing the number of students who complete their program of study.

H491-SMSF-13(CSSF-6) v2

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

D

**HOUSE BILL 491
PROPOSED COMMITTEE SUBSTITUTE H491-CSSF-6 [v.1]**

3/18/2009 1:13:12 PM

Short Title: Community College Developmental Courses.

(Public)

Sponsors:

Referred to:

March 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO TEACH DEVELOPMENTAL
3 COURSES AND COLLEGE SUCCESS SKILLS COURSES AT ANY TIME DURING
4 THE YEAR, INCLUDING THE SUMMER TERM, AND TO EARN BUDGET FTE FOR
5 THE COURSES.

6 Whereas, approximately 25% of the new jobs created in North Carolina over the
7 next 10 years will require at least a four-year college degree, and an additional 13% are
8 predicted to require an associate degree; and

9 Whereas, only 19% of entering ninth graders in North Carolina complete high
10 school and college within 150% of program time; and

11 Whereas, slightly over 50% of recently graduated North Carolina high school
12 students require remediation in the form of one or more developmental classes before
13 beginning college-level work at a North Carolina community college; and

14 Whereas, having to take remediation greatly reduces the likelihood that students will
15 complete college programs on time as well as overall success rates; and

16 Whereas, students requiring remediation could get a jump start and improve the
17 likelihood of program completion by taking those classes in the summer prior to enrolling in
18 college-level courses; and

19 Whereas, since the 2001-2002 recession year, community colleges have not been
20 funded to provide summer school classes; Now, therefore,

21 The General Assembly of North Carolina enacts:

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

23 "(u) Community colleges may teach developmental courses and college success skills
24 courses at any time during the year, including the summer term. Membership hours produced
25 from these courses shall be counted when computing full-time equivalent students (FTE) for
26 use in budget funding formulas at the State level."

27 **SECTION 2.** This act becomes effective July 1, 2009.



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**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 491

Short Title: Community College Developmental Courses. (Public)

Sponsors: Representatives Tolson, McLawhorn, Wray, Dockham (Primary Sponsors); Barnhart, Blackwood, Bordsen, Carney, Coates, Cotham, England, Faison, E. Floyd, Goodwin, Haire, Harrison, Hurley, Jackson, Johnson, Jones, Langdon, Lucas, Martin, Parmon, Samuelson, Sutton, Tarleton, Tucker, Underhill, E. Warren, R. Warren, Wilkins, and Williams.

Referred to: Education, if favorable, Appropriations.

March 9, 2009

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO TEACH DEVELOPMENTAL
COURSES AND COLLEGE SUCCESS SKILLS COURSES AT ANY TIME DURING
THE YEAR, INCLUDING THE SUMMER TERM AND TO EARN BUDGET FTE FOR
THE COURSES.

Whereas, approximately 25% of the new jobs created in North Carolina over the next 10 years will require at least a four-year college degree, and an additional 13% are predicted to require an associate degree; and

Whereas, only 19% of entering ninth graders in North Carolina complete high school and college within 150% of program time; and

Whereas, slightly over 50% of recently graduated North Carolina high school students require remediation in the form of one or more developmental classes before beginning college-level work at a North Carolina community college; and

Whereas, having to take remediation greatly reduces the likelihood that students will complete college programs on time as well as overall success rates; and

Whereas, students requiring remediation could get a jump start and improve the likelihood of program completion by taking those classes in the summer prior to enrolling in college-level courses; and

Whereas, since the 2001-2002 recession year, community colleges have not been funded to provide summer school classes; Now, therefore,
The General Assembly of North Carolina enacts:

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

"(s) Community colleges may teach developmental courses and college success skills courses at any time during the year, including the summer term. Membership hours produced from these courses shall be counted when computing full-time equivalent students (FTE) for use in budget funding formulas at the State level."

SECTION 2. This act becomes effective July 1, 2009.





HOUSE BILL 492: Occupational Ext. Courses Earn Budget FTE

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 19, 2009
Introduced by:	Reps. Tolson, Wray, Dockham, Lucas	Prepared by:	Shirley Iorio, Ph D
Analysis of:	First Edition		Legislative Analyst

SUMMARY: *House Bill 492 would authorize community colleges to earn budget FTE for occupational extension courses taught as part of an approved customized training project when the college pays 50% or more of the instructional costs of providing the courses. The bill also would require community colleges to waive student registration fees and allow the colleges to use customized training funds for the remainder of the costs of the courses.*

House Bill 492 has a serial referral to Appropriations.

CURRENT LAW: G.S. 115-5.1 governs workforce development programs. Community colleges are required to assist in the pre-employment and in-service training of employees in industry, business, agriculture, health occupation and governmental agencies. The Customized Training Program within the North Carolina Community College System (System) offers program and training services to assist new and existing business and industry to remain productive, profitable, and within the State. The System president uses specified criteria to determine whether or not a business or industry qualifies to receive assistance under the Customized Training Program.

BILL ANALYSIS: Community colleges currently have the authority under their rules to earn budget FTE when 100% of the instructional cost for providing classes for a company or other entity is paid by the college. If a company or entity reimburses the college for a given class up to 50% of the instructional cost, the college still earns budgeted FTEs.

Customized training courses have not been included in this policy. House Bill 492 would allow colleges to earn budget FTE for occupational extension courses taught as part of an approved customized training project when the college pays 50% or more of the instructional costs of providing the courses.

Colleges would also be required to waive the student registration fees for these courses. In this case, the students are the employees of the companies the colleges are serving.

EFFECTIVE DATE: The act would become effective July 1, 2009.

H492-SMSF-14(e1) v1

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 492

Short Title: Occupational Ext. Courses Earn Budget FTE. (Public)

Sponsors: Representatives Tolson, Wray, Dockham, Lucas (Primary Sponsors); Barnhart, Blackwood, Carney, Coates, Cotham, England, Goodwin, Haire, Harrell, Harrison, Howard, Jackson, Johnson, Langdon, Martin, McLawhorn, Sutton, Tarleton, Tucker, Underhill, E. Warren, R. Warren, Wilkins, and Williams.

Referred to: Education, if favorable, Appropriations.

March 9, 2009

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO EARN BUDGET FTE FOR
CERTAIN OCCUPATIONAL EXTENSION COURSES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-5.1 is amended by adding a new subsection to read:

"(f4) When a college pays fifty percent (50%) or more of the instructional costs for occupational extension courses taught as part of an approved customized training project, membership hours in the courses shall be counted when computing full-time equivalent students (FTE) for use in budget funding formulas at the State level. The colleges shall waive student registration fees for these courses and may use customized training funds for the remainder of the costs of the courses."

SECTION 2. This act becomes effective July 1, 2009.



**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 391 A BILL TO BE ENTITLED AN ACT AUTHORIZING COMMUNITY COLLEGES TO
OFFER NONCREDIT COURSES IN SAFE DRIVING TO HIGH SCHOOL STUDENTS DURING THE
SCHOOL YEAR.

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

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

s/ Maurice W. Lucas

☒ With a favorable report, as amended, and be re-referred to Committee on Transportation.

(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 _____.

**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

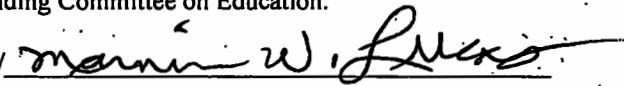
HJR 485

A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES.

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

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

s/



☒ 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 _____

**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 490 A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL PURCHASING FLEXIBILITY TO COMMUNITY COLLEGES AND TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO STUDY THE NEED FOR FURTHER PURCHASING FLEXIBILITY.

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

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

s/ *Marion W. Lucas*

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on Ways and Means/Broadband Connectivity.

(FOR JOURNAL USE ONLY)

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

_____ The bill/resolution is re-referred to the Committee on _____.

**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 491 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY COLLEGES
TO TEACH DEVELOPMENTAL COURSES AND COLLEGE SUCCESS SKILLS COURSES AT ANY
TIME DURING THE YEAR, INCLUDING THE SUMMER TERM AND TO EARN BUDGET FTE FOR
THE COURSES.

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

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

s/ Marvin W. Lucas

☒ With a favorable report as to the committee substitute bill which changes the title, unfavorable as to the
original bill, and recommendation that the committee substitute bill be re-referred to the Committee on
Appropriations.

(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.

**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 492 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY COLLEGES
TO EARN BUDGET FTE FOR CERTAIN OCCUPATIONAL EXTENSION COURSES.

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

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

s/ Mark W. Lucas

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on.

(FOR JOURNAL USE ONLY)

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

_____ The bill/resolution is re-referred to the Committee on _____

VISITOR REGISTRATION SHEET

Education Subcommittee on Community Colleges

Name of Committee

3/19/09

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Michael Hutson	MWC
Matt Farrell	TPG
Jennifer Willis	NCCCS
Robert Meyer	Johnston Comm. College
Rin Wiggs Berlin	Johnston Comm. College
Joan Lawrence	Johnson County - attorney
Christy Agnew	DOA
James Stator	DOA - P+C

**MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES**

March 26, 2009

The House Education Subcommittee on Community Colleges met on Thursday, March 26, 2009, in Room 424 of the Legislative Office Building at 11:00 a.m. The following members were present: Representative Jimmy L. Love, Sr., Chairman; Representatives Alice Bordsen, Bob England, and Marian McLawhorn, Vice Chairs; and Representatives Marilyn Avila, Jerry Dockham, Pat Hurley, James Langdon, Darrell McCormick, Joe Tolson, Ray Warren, and Winkie Wilkins. Staff Counselors Shirley Iorio and Kara McCraw were also in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman Love called the meeting to order. He recognized pages Woody Horton of Bladen County, sponsored by Representative William Brisson and Kiara Hinton of Guilford County, sponsored by Representative Earl Jones. Representative Love also recognized and thanked Sergeants-at-Arms John Brandon, Reggie Sills, and James Worth for their service.

The following bills were considered:

HB 543, AN ACT TO REPEAL THE PENALTY FOR COMMUNITY COLLEGE AUDIT EXCEPTIONS. Representative Tarleton explained the purpose of the bill and noted that over the last three years, there had been 17 occurrences for 16 colleges for a total of \$52,000.00. Representative McLawhorn questions whether the University and public school systems had the same penalties. Kennon Briggs, Executive Vice President and Chief Operating Officer, responded to Representative McLawhorn's question noting that the University system does not have such a mechanism. Representative Avila suggested that the errors were not done deliberately to which Representative Tarleton replied that the errors were just mistakes and not done deliberately. Representative McLawhorn moved for a favorable report for HB 543 and that it be re-referred to the Committee on State Government/State Personnel.. The motion was seconded and approved. Copies of the Bill and the Bill Summary are attached as part of these minutes.

HB 573, AN ACT TO AUTHORIZE CLEVELAND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CLEVELAND COUNTY. Representative McLawhorn moved adoption of the amendment for a title change and rolled into a new Proposed Committee Substitute (PCS). This was seconded and approved. Representative Moore explained the bill. Representative Warren moved for a favorable report on the committee substitute as amended which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the committee on Judiciary II. The motion was seconded and approved. Copies of the Bill, the Bill Summary, the Amendment, and the Committee Substitute are attached as part of these minutes.


Representative Love introduced Bill Ingram and Brenda Rogers from Durham Tech.

Representative Love then noted that the Committee had not yet received any nominations for the State Board of Community Colleges and that April 1, 2009, was the deadline for both the application and the SEI.

There being no further business, Chairman Love adjourned the meeting at 11:15 a.m.

Respectfully submitted,


Representative Jimmy L. Love, Sr.
Chair


Sylvia Nygard
Committee Assistant

Attachments:

Agenda
House Bills 543, 573
Committee Reports
Visitor Registration Sheets

AGENDA

Education Subcommittee on Community Colleges

March 26, 2009

11:00 A.M.

Room 424, LOB

I. CALL TO ORDER **Representative Jimmy L. Love, Sr., Chair**

II. BILLS TO BE HEARD

HB 543	No Penalty for Comm. Coll. Audit Exception	Rep. Tarleton Rep. Tolson Rep. R. Warren Rep. Wiley
---------------	---	--

HB 573	Cleveland Comm. Coll. Capital Project	Rep. Moore Rep. England Rep. Burris-Floyd
---------------	--	--

III. OTHER BUSINESS

IV. ADJOURNMENT

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 543

Short Title: No Penalty for Comm. Coll. Audit Exception. (Public)

Sponsors: Representatives Tarleton, Tolson, R. Warren, Wiley (Primary Sponsors);
Dockham, Frye, and Starnes.

Referred to: Education, if favorable, State Government/State Personnel.

March 12, 2009

A BILL TO BE ENTITLED
AN ACT TO REPEAL THE PENALTY FOR COMMUNITY COLLEGE AUDIT
EXCEPTIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-5(m) reads as rewritten:

"(m) The State Board of Community Colleges shall maintain an education program auditing function that conducts an annual audit of each community college operating under the provisions of this Chapter. The purpose of the annual audit shall be to ensure that college programs and related fiscal operations comply with State law, State regulations, State Board policies, and System Office guidance. The State Board of Community Colleges shall require auditors of community college programs to use a statistically valid sample size in performing program audits of community colleges. All education program audit findings shall be forwarded to the college president, local college board of trustees, the State Board of Community Colleges, and the State Auditor. ~~The State Board shall assess a twenty five percent (25%) fiscal penalty in addition to the audit exception on all audits of both dollars and student membership hours excepted when the audit exceptions result from nonprocessing errors.~~"

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





HOUSE BILL 543: No Penalty for Comm. Coll. Audit Exception

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 26, 2009
Introduced by:	Reps. Tarleton, Tolson, R. Warren, Wiley	Prepared by:	Shirley Iorio
Analysis of:	First Edition		Legislative Analyst

SUMMARY: *House Bill 543 would remove a 25% fiscal penalty for community college audit exceptions.*

House Bill 543 has a serial referral to the House State Government/State Personnel Committee.

CURRENT LAW: G.S. 115D-5(m) requires the State Board of Community Colleges (State Board) to maintain an education program auditing function that conducts an annual audit of each community college to ensure that college programs and related fiscal operations comply with State law, State regulations, State Board policies, and System Office guidance. The State Board requires auditors of community college programs to use a statistically valid sample size in performing program audits, and to forward all education program audit findings to the college president, local board of trustees, State Board, and State Auditor.

Currently, the State Board assesses a twenty-five percent (25%) fiscal penalty in addition to the audit exception on all audits of both dollars and student membership hours excepted when the audit exceptions result from non-processing errors.

BILL ANALYSIS: When audit errors are discovered community colleges are required to return 100% of any excess funds they received. They are then charged an additional 25% on top of what they have to return to the general fund. House Bill 543 would repeal the provision in G.S. 115D-5(m) that requires the State Board to assess the 25% fiscal penalty for community college audit exceptions.

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

BACKGROUND: The Community College System has a Program Audit Task Force (Task Force) comprised of a representative sample of community college presidents, chief financial officers, continuing education deans and system office staff which meets periodically to identify and work through program audit issues. The removal of the 25% penalty is a recommendation of this Task Force. The recommendation is endorsed by the Association of Community College Presidents and the State Board of Community Colleges Policy Committee.

H543-SMSF-15(e1) v1



HOUSE BILL 573: Cleveland Comm. Coll. Capital Project

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	March 26, 2009
Introduced by:	Reps. Moore, England, Burris-Floyd	Prepared by:	Kara McCraw
Analysis of:	Second Edition		Committee Counsel

SUMMARY: *House Bill 573 authorizes Cleveland Community College to enter into a collaborative agreement with Cleveland County to use State grant funds to construct a building on property owned by Cleveland County. The building would be leased to Cleveland Community College, and at the end of the lease term transferred from Cleveland County to Cleveland Community College.*

[As introduced, this bill was identical to S529, as introduced by Sen. Clary, which is currently in Senate Appropriations/Base Budget.]

CURRENT LAW: G.S. 115D-15.1(c) pertains to acquisition and construction of community college property. The statute provides that, notwithstanding other provisions, the board of trustees of a community college may acquire any interest in real or personal property in the county in which the community college is located or in its service delivery area for use by the board of trustees. The board of trustees may contract for the construction, equipping, expansion, improvement, renovation, repair, or otherwise making available for use by the board of trustees of the community college of all or part of the property upon any terms negotiated between the board of trustees of the community college and the board of county commissioners.

G.S. 143-341(3)a. pertains to the powers and duties of the Department of Administration regarding the responsibility to examine and approve all plans and specifications for the construction or renovation of:

1. All State buildings or buildings located on State lands, except those buildings over which a local building code inspection department has and exercises jurisdiction; and
2. All community college buildings requiring the estimated expenditure for construction or repair work for which public bidding is required under G.S. 143-129 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.

BILL ANALYSIS: House Bill 537 provides that, notwithstanding G.S. 115D-15.1 and G.S. 143-341(3)a., provisions related to construction by a community college, or any other provision of law pertaining to capital improvements, Cleveland Community College, in collaboration with Cleveland County, may use State grant funds to plan and construct a building on property owned by Cleveland County in Shelby under the following conditions:

- The facility must contain college classrooms, office space, and multipurpose space.
- Upon completion, Cleveland County must lease the building and property to Cleveland Community College. The lease term must equal the time period required for the county to satisfy the debt obligation.
- At the end of the lease, Cleveland County must give the building and property to Cleveland Community College.
- If Cleveland County terminates the lease, or fails to give the property to the college at the end of the lease term, the county must reimburse a prorated amount of the State funds provided for construction to Cleveland Community College.

House Bill 537 would also provide that, except for the minority participation provisions, Article 8 of Chapter 143 (the public contracting statutes) would not be applied to the construction of the facility.

EFFECTIVE DATE: House Bill 573 would become effective when it becomes law.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 573*

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H573-ATC-15 [v.1]

Page 1 of 1

Comm. Sub. [NO]
Amends Title [YES]
Second Edition

Date March 24 .2009

Representative McLawhorn

- 1 moves to amend the bill on page 1, line 3, by deleting the word "THE".

SIGNED Thurston McLawhorn
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



* H 5 7 3 - A T C - 1 5 - V - 1 *

**2009 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:

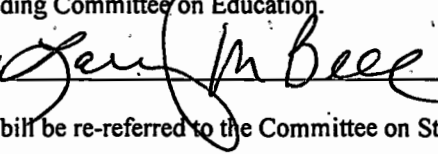
By Representative(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 543 A BILL TO BE ENTITLED AN ACT TO REPEAL THE PENALTY FOR
COMMUNITY COLLEGE AUDIT EXCEPTIONS.

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

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

s/ 

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on State
Government/State Personnel.

(FOR JOURNAL USE ONLY)

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

_____ The bill/resolution is re-referred to the Committee on _____

**2009 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:

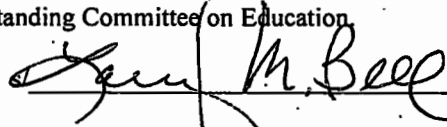
By Representative(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 573 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLEVELAND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CLEVELAND COUNTY.

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

Representative Bell, Lucas (Chair) for the Standing Committee on Education



☒ With a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

(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.

Education/Con Colleges
Name of Committee

March 24, 2009
Date

NAME

Tennifer Willis

NCCG5

Keweenaw Bay's

11

Brenda Rogers

Durham Tech

BILL INGRAM

DURHAM TOWN.

Dennis Patterson

Q5A

House Pages

EDUCATION
Community Colleges

Name Of Committee: _____

Date: March 26, 2009

1. Name: Woody Horton
County: Bladen
Sponsor: Brisson
2. Name: Kiaara J Hinton
County: Guilford
Sponsor: Earl Jones
3. Name: _____
County: _____
Sponsor: _____
4. Name: _____
County: _____
Sponsor: _____
5. Name: _____
County: _____
Sponsor: _____

Sgt-At-Arms

1. Name: John Brandon
2. Name: Reggie Sills
3. Name: James Worth
4. Name: _____
5. Name: _____

**MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES**

April 16, 2009

The House Education Subcommittee on Community Colleges met on Thursday, April 16, 2009, in Room 424 of the Legislative Office Building at 11:00 a.m. The following members were present: Representative Jimmy L. Love, Sr., Chairman; Representatives Alice Bordsen, Bob England, and Marian McLawhorn, Vice Chairs; and Representatives Marilyn Avila, Larry Brown, George Cleveland, Elmer Floyd, Melanie Wade Goodwin, Pat Hurley, James Langdon, Darrell McCormick, Pat McElraft, Bonner Stiller, Joe Tolson, Ray Warren, and Winkie Wilkins. Staff Counselors Shirley Iorio and Kara McCraw were also in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman Love called the meeting to order. He recognized pages Joe Meyerson of Guilford County, sponsored by Representative Maggie Jeffus and Conner Rosenow of Alamance County, sponsored by Representative Alice Bordsen. Representative Love also recognized and thanked Sergeants-at-Arms John Brandon and James Worth for their service.

The following bill was considered:

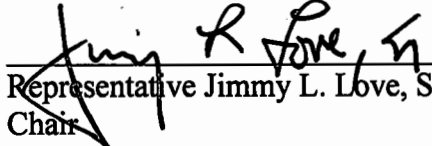
HB 735, AN ACT TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COMMUNITY COLLEGE CAMPUSES. Representative Tarleton was present to explain the bill, noting that there were different building code standards for different building uses. Richard Strickland of the North Carolina Department of Insurance assured the committee that the Department had no problems with the bill. Representative Cleveland moved for a favorable report for HB 543 and that it be re-referred to the Committee on State Government/State Personnel.. The motion was seconded and approved. Copies of the Bill and the Bill Summary are attached as part of these minutes.

Chairman Love introduced the next order of business, the nominations for the State Board of Community Colleges. He stated that the election would be held on Tuesday, April 21, 2009. Kara McCraw of Research explained the procedure: the House has two seats to fill, must have at least 4 nominees but all nominees can be sent to the floor of the House for consideration. Kara noted that an individual could hold one elected office and one appointed office; if someone already held an elected office and was elected to the State Board, he or she would have to give up the other elected office in order to serve. She went on to explain that the top two vote getters would become members of the State Board of Community Colleges. The eight nominees for the State Board of Community Colleges include K. Ray Bailey, sponsored by Representative Bruce Goforth; Barbara A. Baker, sponsored by Representative Bill Faison; Barbara Hudson Harrell, sponsored by Representative Michael Wray; C. Jack Horton, sponsored by Representative Phillip Haire; Vilma Leake, sponsored by Representative Nick Mackey; Samuel C. Powell, sponsored by Representative Alice Bordsen; Anita Powers, sponsored by Representative Russell Tucker; and John F. Watts, sponsored by Representative Ray Warren. Representative Winkie Wilkins moved that all of the candidates be nominated for the ballot sent to the House floor from which two nominees would be elected to serve on the State Board of

Community Colleges. The motion was unanimously adopted. A copy of the slate of nominees with their applications/resumes is attached as part of these minutes.

There being no further business, Chairman Love adjourned the meeting at 11:25 a.m.

Respectfully submitted,


Representative Jimmy L. Love, Sr.
Chair


Sylvia Nygard
Committee Assistant

Attachments:

- Agenda
- House Bill 735
- Committee Report
- State Board of Community Colleges nominees' applications/resumes
- Visitor Registration Sheets

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2009-2010 SESSION**

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

DAY & DATE: Thursday, April 16, 2009

TIME: 11:00 am

LOCATION: 424 LOB

COMMENTS: Subcommittee will Screen Candidates for Nomination to the State Board of Community Colleges

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
HB 735	Bldg. Code/High Schoolers at Comm. Coll.	Representative Tarleton Representative Goforth

Respectfully,
Representative Love, Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:00 o'clock on April 14, 2009.

X Principal Clerk
X Reading Clerk – House Chamber

Sylvia Nygard (Committee Assistant)

AGENDA
Education Subcommittee on Community Colleges

April 16, 2009
11:00 A.M.

Room 424, LOB

- I. CALL TO ORDER** **Representative Jimmy L. Love, Sr., Chair**
- II. SELECTION OF NOMINEES**
- III. BILLS TO BE HEARD**
 - HB 735** **Bldg. Code/High Schoolers at** **Rep. Tarleton**
 Comm. Coll. **Rep. Goforth**
- IV. OTHER BUSINESS**
- V. ADJOURNMENT**

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

1

HOUSE BILL 735

Short Title: Bldg. Code/High Schoolers at Comm. Coll. (Public)

Sponsors: Representatives Tarleton, Goforth (Primary Sponsors); and Faison.

Referred to: Education, if favorable, State Government/State Personnel.

March 23, 2009

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR
3 BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON
4 COMMUNITY COLLEGE CAMPUSES.
5 The General Assembly of North Carolina enacts:
6 SECTION 1. G.S. 115D-41(b) reads as rewritten:
7 "(b) ~~Community~~ Existing community college facilities that comply with applicable State,
8 ~~county, and local fire codes~~ the North Carolina State Building Code and applicable local
9 ordinances for community college facilities may be used without modification for public school
10 students in joint or cooperative programs such as middle or early college programs and dual
11 enrollment programs. Designs for new community college facilities that comply with the North
12 Carolina State Building Code and applicable local ordinances for community college facilities
13 also may be used without modification for these students.
14 For the purpose of establishing Use and Occupancy Classifications, these programs shall be
15 considered 'Business – Group B' in the same manner as other community college uses."
16 SECTION 2. This act is effective when it becomes law.



**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 735 A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING
BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS
ATTENDING CLASSES ON COMMUNITY COLLEGE CAMPUSES.

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

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

Lucas M Bell

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on STATE
GOVERNMENT/STATE PERSONNEL.

(FOR JOURNAL USE ONLY)

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

_____ The bill/resolution is re-referred to the Committee on _____.



NORTH CAROLINA GENERAL ASSEMBLY

Legislative Services Office

George R. Hall, Legislative Services Officer

Research Division

300 N. Salisbury Street, Suite 545
Raleigh, NC 27603-5925
Tel. 919-733-2578 Fax 919-715-5460

O. Walker Reagan
Director

To: Representative Love, Chair, House Education Subcommittee on Community Colleges
From: Kara A. McCraw, Staff Attorney
Date: April 20, 2009
Re: Legal Qualifications of Candidates for Nomination to State Board of Community Colleges

The following is a revised list of the House nominees for the State Board of Community Colleges. I have reviewed the applications that were submitted and indicated whether each nominee has any statutory disabilities. My opinion as to any nominee's statutory disability is based solely upon the information provided in the nominee's application. Each nominee has certified that the information provided in the application is accurate. The nominees are listed in alphabetical order by their last name.

Nominee	Sponsor	Statutory Disability
K. Ray Bailey	Representative Goforth	▪ NC Credit Union Commissioner ▪ Buncombe County Commissioner ¹
Barbara A. Baker	Representative Faison	None
Barbara Hudson Harrell	Representative Wray	▪ Trustee – Surry Community College ²
C. Jack Horton	Representative Haire	None
Vilma Leake	Representative Mackey	▪ None
Samuel C. Powell	Representative Bordsen	▪ Trustee – Alamance Community College ²
Anita Powers ³	Representative Tucker	None
John F. Watts	Representative Warren	▪ Trustee – Catawba Valley Community College ²

¹ G.S. 128-1.1 limits individuals to holding no more than either 2 appointive offices, or 1 elected and 1 appointive office. This conflict may be remedied by resignation of an office.

S. 115D-2.1(f) prohibits an officer or employee of any institution under the jurisdiction of the State Board from serving on the State Board of Community Colleges. This conflict may be remedied by resignation of the office.

³ Current State Board of Community Colleges Board member. Ms. Powers is eligible for reelection.

STATUTORY REQUIREMENTS FOR COMMITTEE SELECTION OF NOMINEES FOR THE STATE BOARD OF COMMUNITY COLLEGES

- **List all candidates.**
- **Separately vote "aye" or "no" on each candidate to determine if that person should be listed as a nominee. A verbal vote of those present and voting shall constitute one nominee of the committee.**
- **Nominate at least two people for each seat if there are sufficient candidates. Otherwise, nominate at least one person for each seat.**

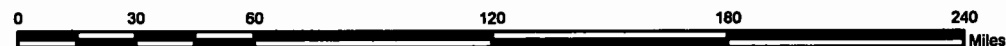
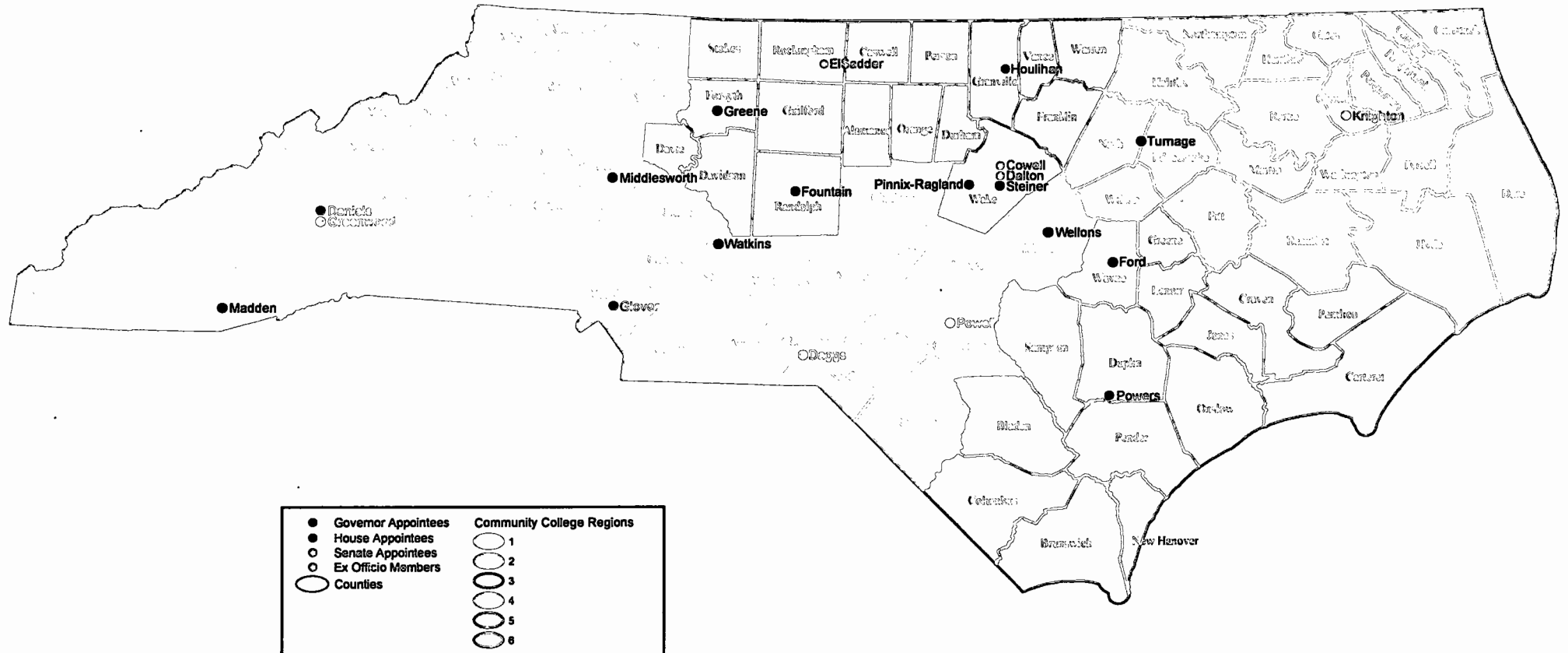
MEMBERSHIP ON THE STATE BOARD OF COMMUNITY COLLEGES

- **Vacancy election to fill remainder of existing term.**
- **Terms of office expire on June 30, 2009.**
- **No member may serve more than two consecutive six year terms.**

INDIVIDUALS STATUTORILY BARRED FROM SERVING

- **A member of the General Assembly.**
- **An officer or employee of the State.**
- **An officer or employee of any institution under the jurisdiction of the State Board.**
- **A spouse of any of the above.**
- **Any person who within the prior 5 years has been an employee of the Community College Systems Office.**

CURRENT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES



Produced by the NC General Assembly, Information Systems Division, April 14, 2009.





RECEIVED
3:45 pm
MAR. 30 2009

**HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM**

Devin Webb

1. Rep. D. Bruce Goforth _____ (Sponsor's Name) proposes K. Ray Bailey _____ (Name of Nominee) as a nominee for election to the State Board of Community Colleges for a six-year term.

2. Nominee's Name: K. Ray Bailey
Occupation: Retired
Address: 34 Sharon Drive, Fairview, NC 28730
Home Telephone: 828-628-2598
Work Telephone: 828-273-1921
E-mail Address: rbailey0922@aol.com

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds:

Buncombe County Commissioner elected November 2008
NC Credit Union Commission appointed April 2008

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds:

None

5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

No

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?

No

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years?

No

*Nomination forms must be received by the House Principal Clerk's Office by 5:00 pm on April 1, 2009.
Statements of Economic Interest must be received by the NC State Ethics Commission by 5:00 p.m. on April 1, 2009.*

8. If elected, will the nominee serve?

Yes

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

Yes – will resign from NC Credit Union Commissions

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

No

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

11. Is the nominee current on all federal, State, and local taxes?

Yes

D. Bruce Defenith 3/29/2009
Signature of Sponsor/Date

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.

K. Van Bailey 03/27/09
Signature of Nominee/Date

VITA

K. RAY BAILEY

Address: 34 Sharon Drive
Fairview, NC 28730

Phone: (828) 628-2598

PERSONAL

Date of Birth September 22, 1941
Marital Status: Married to Glenda Greenwood Bailey
Children: Ken, Brad, Elizabeth, Krista
Grandchildren: Five

EDUCATION

Western Carolina University, M.A. Ed., 1970
Major - Educational Administration
Minor - Psychology
Middle Tennessee State University, B.S., 1963
Major - Social Science
Minor - Secondary Education
Library Science/ Audiovisual Education
Tullahoma Senior High School, Diploma, 1959
Tullahoma, Tennessee

OTHER EDUCATION

University of North Carolina at Asheville, 1984
Leadership Asheville
North Carolina State University, Summer, 1974
Business Management Seminar
University of Nebraska at Omaha, Summer, 1972
Business Management Institute
George Washington University, Summer, 1967
Adult Education Institute for Administrators
North Carolina State University, Summer, 1966
Adult Basic Education Institute

PROFESSIONAL EXPERIENCE

August 1966 – August 2007

**Asheville-Buncombe Technical Community College
President (July, 1990 – August 2007)**

**Vice President, Administrative Services
(August, 1983 - June, 1990)**

**Responsibilities the same as Vice President, Fiscal Services
and in addition responsible for administrative computing and
Learning Resources Center program.**

**Vice President, Fiscal Services
(July, 1976 - August, 1983)**

**Administrative responsibilities for budgeting, accounting,
purchasing, auxiliary services, plant operation and
maintenance, construction, security, and risk management.**

**Business Manager
(September, 1968 - July, 1976)**

Responsibilities the same as Vice President, Fiscal Services.

**Area Coordinator, Supervisory Development
Training (June, 1968 - September, 1968)**

**Responsible for establishing training programs for
supervisors in business and industry in a 17 county area of
Western North Carolina.**

**Director, Adult Basic Education
(August, 1966 - June, 1968)**

**Responsible for Adult Basic Education program in 17
counties of Western North Carolina including curriculum,
personnel, budgeting, accounting, purchasing, and evaluation.**

**Teacher and Coach at Clyde A. Erwin High School
(August, 1963 - July, 1966)**

OTHER EXPERIENCE

1964 and 1965	Seasonal Park Ranger
Summer Months	Blue Ridge Parkway
Fall Weekends	Oteen, NC

DEPARTMENT OF COMMUNITY COLLEGE ACTIVITIES

**2007 Internal Audit Control Task Force
2004 Legislative Task Force**

2002 Funding Formula Task Force
1999 Legislative Issues Task Force
1995-1999 Funding Task Force
1989 Executive Management and Leadership Institute
1989 Commission on the Future-Task Force for Funding
1988-1990 Equipment Procedures Review Committee
1987 Differential Funding Committee
1986 Funding Task Force
1984-1990 Insurance Committee
1980 Community College Law Conference
Team member to review institutions with internal problems
Appointed by State President

PROFESSIONAL ACTIVITIES

North Carolina Association of Community College Presidents
President 2000-2001
Finance Committee Chair 2007, 2006, 2004, 2003, 1998, 1996, 1994
Executive Committee, 1990-2006
Association of Community College Business Officials
Organization Committee 1970-71
Vice President 1971-72
President 1972-73
Executive Committee 1973-75, 1977-78, 1981-82
Various Committees Annually
Facilitator-Regional Meetings
Coordinator, 1991 National NCCCBO Convention

ACCREDITATION ACTIVITIES

Served on numerous visiting committees for the Southern Association of Colleges and Schools

Served on numerous visiting committees for the North Carolina Department of Community Colleges

Served on numerous committees to evaluate Title III funding grants within the North Carolina Community College System

ELECTIVE OFFICE

Buncombe County Commissioner (Elected November 2008 to a four-year term.)

APPOINTIVE OFFICE

NC Credit Union Commission (Appointed April 2008, term expires July 15, 2011.)

COMMUNITY ACTIVITIES

Advantage Asheville 2000

Co-Chairman

American Lung Association

Tournament Planning Committee, Vice Chairman, Chairman,

Board of Directors-Local

Board of Directors-State

*Asheville-Buncombe Technical Community College Foundation

Board of Directors

Asheville/Buncombe Vision

Steering Committee, Board of Directors

*Asheville Chamber of Commerce

Chairman 1997-98, Business Education Council, Board of Directors

Government Affairs Task Force, VP Workforce Development

Asheville Downtown Association Foundation

Asheville Economic Development Advisory Committee Member

Asheville Merchants Association Board, Secretary

Bank of America Board Regional Board Member

Bele Chere Board

Vice Chairman 1995, Chairman 1996,

Immediate Past Chairman 1997

BioNetwork Industry Advisory Board

Buncombe County Economic Development Commission

Buncombe County Parks and Recreation Advisory Committee

Chairman, Vice Chairman, Various Committees

Buncombe County Schools Foundation Board Member

City of Asheville Economic Development Task Force

*Community Advisory Board

*Community and Economic Development Alliance (The HUB Project)

*Eblen Foundation Board

*Chair Building Committee

Emmanuel Lutheran Church *Board of Directors

Emmanuel Lutheran School PTA President

Fairview Athletic Association

Board Chairman, Executive Committee

Fairview Elementary School

Chairman-Advisory Committee

Member-Effective Schools Committee

Chairman-Architectural Selection Committee

Goodwill Industries-Capital Campaign Chairman

Junior League of Asheville Board

*Leadership Asheville Board of Trustees, Co-Chair

McCormick Field Study Committee Chairman
 *Memorial Mission Hospitals, Inc.
 *Board of Directors, Finance, Property, Governance Committee Chair
 Mountain Area Health Education Center
 Board Member, Vice Chair, Chairman
 Mountain Area Workforce Development Board
 Executive Committee
 NC Recreation and Parks Society
 Red Cross-Heroes for Hope Campaign Chairman
 Reynolds Middle School Advisory Committee Chairman
 Reynolds High School Advisory Committee Member
 RiverLink Advisory Committee
 Smith-McDowell Associates Trustee
 *State Employees Credit Union, Board Member, Chairman
 *Tourism Development Authority
 *United Way Board of Directors
 Chairman, Resource Development Committee, Campaign Chairman
 2002, Corporate II Division, Allocations Review, Chairman, Gem
 Division, Chairman, Chairman's Circle, Peaks Society, Co-Chairman,
 Nominating Committee, Executive Committee
 *WNC Communities (formerly WNC Development Association)
 *Board of Directors, *President, First Vice President, Treasurer,
 *Executive Committee, Various Committees
 Western North Carolina Historical Association Trustee
 WNC Tomorrow Board Member

*Current

AWARDS/HONORS

2008 Phi Theta Kappa Michael Bennett Lifetime Achievement Award
 2007 Asheville Chamber of Commerce Excellence in Public Service Award
 2007 Phi Theta Kappa Carolinas Region Distinguished College President
 2007 University of North Carolina at Asheville Chancellor's Medallion
 2007 NCCCS BioNetwork Person of the Year
 2007 Asheville Civitan Club Spirit of Civitan Award
 2006 Honorary Doctorate of Education, Western Carolina University
 2006 Grand Marshal, City of Asheville Christmas Parade
 2006 Knights of Mountain Laurel
 2006 The Order of the Long Leaf Pine
 2005 NC Community College System President of the Year
 2005 Asheville-Buncombe Community Relations Council
 Distinguished Service Award
 2005 Rotary Service Centennial Award for Professional Excellence
 2004 Honorary Doctorate of Humane Letters, Mars Hill College
 2003 Land-of-Sky Regional Citizenship Award

2001 Chamber of Commerce Chairman's Award
1998 Leadership Asheville Circle of Excellence Award
1995 NCAEOP District & State Administrator-of-the-Year
1995 A-B Tech Local NCAEOP Administrator-of-the-Year
1987 Regional Outstanding Business Officer (NC, SC, TN, KY)

PERSONAL INTERESTS

Sports, recreation activities, landscaping, travel, and church activities



STATE ETHICS COMMISSION

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ROBERT L. FARMER
CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 3, 2009

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

Via email

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of **Mr. K. Ray Bailey's** March 27, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest nor did I find the potential for a conflict of interest.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions:

The Ethics Act establishes ethical standards for certain public servants. G.S. 138A-31 prohibits public servants from using their positions for their financial benefit. G.S. 138A-36(a) prohibits public servants from participating in certain official actions in which they have an economic interest or if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated would otherwise benefit from that action. Finally, G.S. 138A-32 prohibits public servants from accepting gifts, directly or indirectly, from (1) anyone in return for being influenced in the discharge of their official responsibilities, (2) a lobbyist or lobbyist principal, or (3) a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by

The Honorable Joe Hackney

April 3, 2009

Page 2

the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely,

Stacey A. Phipps
Attorney, SEI Unit

cc: Mr. K. Ray Bailey
Shante Martin, Ethics Liaison
Chairman of the Board



RECEIVED
APR 1 2009
2:40pm

HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM

Shirley Weeks

1. Rep. Bill Faison (Sponsor's Name) proposes
Barbara A. Baker (Name of Nominee) as a nominee for
election to the State Board of Community Colleges for a six-year term.

2. Nominee's Name: Barbara A. Baker
Occupation: Retired
Address: 6 Crestbury Ct., Durham, NC 27713
Home Telephone: 919 489-1774
Work Telephone:
E-mail Address: b.baker45@verizon.net

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds:

none

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds:

none

5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

no

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?

no

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years?

no

8. If elected, will the nominee serve?

yes


9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

yes

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense? no

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

11. Is the nominee current on all federal, State, and local taxes? yes


Signature of Sponsor/Date April 1, 2009

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office* shall be eligible to serve on the State Board."

I have attached a current vitae.

 04/01/2009
Signature of Nominee/Date

*employed by Durham Technical Community College from 1984-2007 (Dec.). I have never been an employee of the Community College System Office.
2

Barbara Baker
6 Crestbury Court
Durham, North Carolina 27713
919 489-1774
b.baker45@verizon.net

Current Status

Retired in December 2007 after 35 years working in community colleges in North Carolina.

Education

Western Piedmont Community College	Associate in Arts, Liberal Arts	1968
UNC-Asheville	Bachelor of Arts, Social Sciences	1971
UNC-Chapel Hill	Master of Science in Library Science	1974
Nova University, Florida	Additional Graduate Work	

Work Experience

Librarian at Gaston College, Dallas, North Carolina	1972-1984
Director and Associate Dean for Educational Resources Durham Technical Community College	1984-1993
Associate Dean for Off-Campus Programs Durham Technical Community College	1993-1998
Vice President for Administrative and Support Services Durham Technical Community College	1998-2002
Vice President for Student Support Services Durham Technical Community College	2002-2007

Professional Recognition

- 1989 Graduate of NCSU Department of Adult and Community College Education's Leadership Institute
- Participant in the 1996 Academy for Community College Leadership Advancement, Innovation and Modeling
- President of the North Carolina Community College Learning Resources Association, 1985-86
- President of the North Carolina Library Association, 1989-91
- Member of the N. C. State Library Commission, 1989-91
- N. C. Delegate to the 1991 White House Conference on Libraries and Information Science
- Recognized as a Woman of Achievement by the Triangle Chapter of Women in Management, 1991
- President of the N. C. Community College Student Administrators Association, 2002-2003
- Served as a Southern Association of Colleges and Schools review committee member annually from 1990-2007

Community Involvement

- Sustaining member of the Junior League of Durham and Orange Counties
- Member of the Delta Kappa Gamma Society International, an honorary society for women educators
- Member and past-president of the Beta Iota Chapter of Delta Kappa Gamma
- Member and past-president of the Kiwanis Club of Tobaccoland
- Lieutenant Governor for Division 13 of the Carolinas District of Kiwanis International, 2002
- 1994 Graduate of Leadership Chapel Hill-Carrboro
- 1998 Graduate of Leadership Durham
- Member of the National Alumni Council at UNC-Asheville, 2005-



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CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 3, 2009

Via email

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of Ms. Barbara A. Baker's April 1, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest nor did I find the potential for a conflict of interest.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The Ethics Act establishes ethical standards for certain public servants. G.S. 138A-31 prohibits public servants from using their positions for their financial benefit. G.S. 138A-36(a) prohibits public servants from participating in certain official actions in which they have an economic interest or if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated would otherwise benefit from that action. Finally, G.S. 138A-32 prohibits public servants from accepting gifts, directly or indirectly, from (1) anyone in return for being influenced in the discharge of their official responsibilities, (2) a lobbyist or lobbyist principal, or (3) a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by

The Honorable Joe Hackney
April 3, 2009
Page 2

the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely,

Stacey A. Phipps
Attorney, SEI Unit

cc: Ms. Barbara A. Baker
Shante Martin, Ethics Liaison
Chairman of the Board

03/30/2009

02:29

HOUSE SPEAKER-JOE HADNEY + 918652931100

RECEIVED

NO 827 1 2009

4:35pm
w

HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM

1. Rep. Michele H. Wiley (Sponsor's Name) proposes
Barbara Hudson Harrell (Name of Nominee) as a nominee for
election to the State Board of Community Colleges for a six-year term.

2. Nominee's Name: Barbara Hudson Harrell
Occupation: Community Volunteer
Address: 480 Hawthorne Road Elkin NC 28621
Home Telephone: 336-835-4636
Work Telephone: 336-835-3337
E-mail Address: drjimharrell@embarqmail.com

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds: NONE

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds: NONE

5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

NO

* Note correction
on reverse of
page.

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?

NO

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years?

NO

1

Nomination forms must be received by the House Principal Clerk's Office by 5:00 pm on April 1, 2009.
Statements of Economic Interest must be received by the NC State Ethics Commission by 5:00 p.m. on April 1, 2009.

2. 8 2998 0N

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03/30/2009

02:29

HOUSE SPEAKER-JOE HACKNEY + 919652931100

NO. 827

002



HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM

1. _____ (Sponsor's Name) proposes
Barbara Hudson Harrell (Name of Nominee) as a nominee for
election to the State Board of Community Colleges for a six-year term.

2. Nominee's Name: Barbara Hudson Harrell
Occupation: Community Volunteer
Address: 480 Hawthorne Road ELKIN NC 28621
Home Telephone: 336-835-4636
Work Telephone: 336-835-3337
E-mail Address: drjimharrell@embarqmail.com

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds: NONE

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds: NONE

* 5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

NO

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?

NO

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years?

NO

1

Nomination forms must be received by the House Principal Clerk's Office by 5:00 pm on April 1, 2009.
Statements of Economic Interest must be received by the NC State Ethics Commission by 5:00 p.m. on April 1, 2009.

addendum: Nominee is a trustee at Surry Community College

7 7.000.00N

This fax was received by GFI FAXmaker fax server. For more information, visit: <http://www.gfi.com>

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03/30/2009

02:29

HOUSE SPEAKER-JOE HADNEY + 918652931100

NO. 827

003

8. If elected, will the nominee serve?

YES

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

YES

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

NO

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

11. Is the nominee current on all federal, State, and local taxes?

yes


Signature of Sponsor/Date

4-1-09

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.


Signature of Nominee/Date

4-1-09

Barbara Hudson Harrell
480 Hawthorne Road Elkin, NC 28621
(336) 835-4636 home
(336) 835-3337 office

EDUCATION

Elon College
Bachelor of Arts
Major: Elementary Education

Elon College NC
1969

PROFESSIONAL EXPERIENCE

Wilkes County Schools
Teacher

NC
1973-1974

Richmond County Schools
Teacher

VA
1969-1973

COMMUNITY INVOLVEMENT

Surry Community College
Member First United Methodist Church

2002 - Present
Present

Board of Trustees
Pictorial Directory Chairman
Sunday School Teacher
Bible School Director
Weekday Kindergarten Committee
Chairman Committee for Higher Education

American Dental Association Council of Government Affairs

2001 - 2003

Elon National Alumni Board of Directors Vice-Chairman

1995 - 1999

NC Dental Society Legislative Consultant

1997 - 1998

NC High School Athletic Association Realignment

1996

ABC's Assistance Team Selection Committee

1996

NC School Boards Association

1988 - 1996

President, Vice-President, Treasurer, Director
Past-President's Council
NCSBA Insurance Trust Fund Trustee

Elkin City School Board of Education

1984 - 1996

Vice-Chairman
Chairman

1986 - 1989
1989 - 1994

NC Principals Fellows Commission

1993 - 1994

President of the Alliance to NC Dental Association

1991

PTA President

1982

Hugh Chatham Hospital Auxiliary President

1980

American Red Cross Board of Directors

Mt Airy Regional Museum Board of Directors

Barbara H. Harrell 4-1-09
Signature of Nominee/Date



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CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 3, 2009

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

Via email

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of Ms. Barbara H. Harrell's April 1, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest nor did I find the potential for a conflict of interest.

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The Honorable Joe Hackney
April 3, 2009
Page 2

the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely,

Stacey A. Phipps
Attorney, SEI Unit

cc: Ms. Barbara H. Harrell
Shante Martin, Ethics Liaison
Chairman of the Board



**HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM**

RECEIVED
APR 1 2009
2:30 PM
CH

1. Representative Phil Haire (Sponsor's Name) proposes
C. Jack Horton (Name of Nominee) as a nominee for election to the State Board
of Community Colleges for a six-year term.

2. Nominee's Name: Jack Horton

Occupation: Macon County Manager

Address: 64 Delta Drive Franklin, NC 28734

Home Telephone: (828) 421-7490

Work Telephone: (828) 349-2025

E-mail Address: jhorton@maconnnc.org/ jackandlydia@yahoo.com

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds: See attached Education- Exhibit A, Professional Experience- Exhibit B, Personal Information, Professional and Civic Organization- Exhibit C.

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds: Not Applicable

5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges? No

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina? No

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years? No

8. If elected, will the nominee serve? Yes

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.) Yes

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense? None

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

11. Is the nominee current on all federal, State, and local taxes? Yes



Signature of Sponsor/Date

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.



Signature of Nominee/Date

8. If elected, will the nominee serve?

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

11. Is the nominee current on all federal, State, and local taxes?

Signature of Sponsor/Date

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.



Signature of Nominee/Date

Education

Master of Arts: Appalachian State University - 1981

Bachelor of Arts: Appalachian State University-1976

Associate in Arts: Central Piedmont Community-College 1974

U.N.C. School of Government

County / Municipal Administration

Planning and Zoning

Budget Preparation and Capital Planning

Public Executive Leadership Academy 2005

Military Service

United States Navy

Honorable Discharge

Professional Experience

Macon County, NC – County Manager- Presently Serving

Caldwell County, NC - 2006-2007 County Manager

Haywood County, NC - 1991-2006 County Manager

Macon County, NC 1985-1991 County Manager

Huntersville, NC 1983-1985- Town Manager

Anderson Automotive-1981-1983 Business Manager

Swain County 1976-1981- County Manager (1978- 1981)

03/30/2005 14:28 020000123

Personal Information

Married: Lydia T. Horton

Sons: Adam R. Horton Seth T. Horton

Professional and Civic Organizations

Member- International City and County Managers Association

Member- North Carolina City/ County Managers Association

Past President- Waynesville Rotary Club

Past President- W.N.C. City/ County Managers Association

Past President- Association of Tennessee Valley Governments

Past Chair/Charter Member- Pigeon River Fund Board

Chair/CEO – State of Franklin Health Council for Senior Citizens

Former Member- Region A Partnership for Children

Member- NCACC Steering Committees for

Intergovernmental Relations

Taxation and Finance, Education

NCACC Legislative Goals Committee 2004/2005

Member North Carolina Association of County Commissioners Risk

Management Pool

Vice Chair Property and Liability Pool

Member of Waynesville First Baptist Church, having served two terms as Chairman of Deacons, and on various other church committees.



STATE ETHICS COMMISSION

1324 MAIL SERVICE CENTER
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WWW.ETHICSCOMMISSION.NC.GOV

ROBERT L. FARMER
CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 14, 2009

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

Via email

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of Mr. C. Jack Horton's March 31, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest nor did I find the potential for a conflict of interest.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The Ethics Act establishes ethical standards for certain public servants. G.S. 138A-31 prohibits public servants from using their positions for their financial benefit. G.S. 138A-36(a) prohibits public servants from participating in certain official actions in which they have an economic interest or if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated would otherwise benefit from that action. Finally, G.S. 138A-32 prohibits public servants from accepting gifts, directly or indirectly, from (1) anyone in return for being influenced in the discharge of their official responsibilities, (2) a lobbyist or lobbyist principal, or (3) a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by

The Honorable Joe Hackney

April 14, 2009

Page 2

the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely,

Stacey A. Phipps
Attorney, SEI Unit

cc: Mr. C. Jack Horton
Ms. Shante Martin, Ethics Liaison
Chairman of the Board



**HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM**

RECEIVED

APR 1 2009

4:35pm
ck

1. _____ Representative Alice Bordsen _____ (Sponsor's Name) proposes
_____ Samuel C. Powell _____ (Name of Nominee) as a
nominee for election to the State Board of Community Colleges for a six-year term.
2. Nominee's Name: Samuel C. Powell
Occupation: Self Employed, Powell Enterprises
Address: 1067 East Lake Drive, Burlington, NC 27215
Home Telephone: 336-684-2943 (cell)
Work Telephone: 336-227-3557
E-mail Address: spowell@clearwire.net
3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds: N/A
4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds: N/A
5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?
Yes
6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?
No
7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years?
No
8. If elected, will the nominee serve? Yes

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

Yes

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

~~No~~ ~~One~~ speeding ticket

Yes

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

May 24, 2005 Speeding Ticket US 701, Whiteville, NC (70/55 mph)

August 15, 2003 Speeding Ticket I 40, Burlington, NC (70/60 mph)

July 10, 2006 Speeding Ticket Burlington, NC Chapel Hill Rd (44/35 mph)

1980 - 2 speeding tickets dismissed

11. Is the nominee current on all federal, State, and local taxes?

Yes

 1 April, 2009
Signature of Sponsor/Date

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.

 04-01-09
Signature of Nominee/Date

Samuel C. "Sam" Powell, Ph.D.

Personal Information:

Sam Powell lives in Burlington with wife Karen. He has two children Susan and Chris. Susan is married to Thomas Davis and has provided him with a granddaughter named Elizabeth Grace Davis, and a grandson William Gregory Davis.

Education:

Sam graduated from Virginia Military Institute undergraduate with a BS in chemistry. He graduated with a Masters degree in biochemistry from Old Dominion University, and earned a Ph.D. degree in biochemistry from Loyola University in Chicago in 1982.

Sam is also proud that as part of his informative education, he earned the Eagle Scout and God and Country Awards in scouting. He was also inducted into the Order of the Arrow.

Sam served 12 years in the US Army reserves, Medical Service Corps in the field of hospital administration. He was honorably discharged in 1987 at the rank of Captain.

Business Activities:

Dr. Powell has been self employed since 1987. His company is named **Powell Enterprises**. The primary business of Powell Enterprises is commercial real estate development.

Dr. Powell serves on the Board of Directors of **Carolina Biological Supply Company**, started by his father in 1927. Carolina sells some 20,000 items in its catalog including microscopes, skeletons, living and preserved animals, models, charts, educational kits, books, and just about anything that is used in the teaching of biology.

Dr. Powell also serves on the Board of Directors of **MedTox Scientific, Inc.**, MedTox is a publicly traded company on the NASDAQ traded under the symbol MTOX. MedTox Scientific is involved with testing for marijuana, heroin, amphetamines and other illicit drugs for pre-employment testing, and the parole and probation markets; and is involved with testing human blood samples for a variety of toxins found in the work place or environment.

Dr. Powell was instrumental in the development of MedTox Scientific's predecessor company Granite Diagnostics, Inc., which he merged with Environmental Diagnostics prior to becoming Editek, Inc. and finally MedTox Scientific. He served as Chairman of the Board of Editek for six years while it was traded on the American Stock Exchange.

COMMUNITY ACTIVITIES:

Sons of the American Revolution (SAR):

- Sam Powell is currently the State President of the North Carolina Society Sons of the American Revolution. His two year term runs 2007-2009.
- He is the past Chapter President of the Alamance Battleground Chapter.

- He has also been elected to the National Society Foundation Board and serves as Chairman of the Center for Advancing America's Heritage Campaign Cabinet.

Alamance Community College

Dr. Powell serves as Chairman of the Board of Trustees (2007-2009). He also serves as a member of the Alamance Community College Foundation Board, and taught chemistry and biochemistry classes at ACC for 9 years during the 90's.

Current Service in other Community Organizations:

- Alamance County Historical Association
- Alamance Rotary Club
- Burlington-Alamance Airport Authority (V-Chairman)
- Cape Fear River Assembly
- Friends of Woodlawn
- Friends of Alamance Battleground
- Hospice of Alamance Caswell Foundation (past Chairman)
- Textile Heritage Museum Board of Directors
- Trading Path Association
- Woodlawn School Restoration Project Committee (Treasurer)

Past activities have included Chairing the Piedmont Carolina Chapter of the American Red Cross, the Alamance County Planning Committee for Services to the Elderly, the Graves, Reid, Sangal, Performance Scholarship (G.R.A.S.P.S.) Committee of Burlington Public Housing, and North Carolina Alcoholism Research Authority. He also served on the North Carolina Board of Science and Technology. As City Councilman, he served on the Region G Council of Governments, Piedmont Triad Partnership, and Area Agency on Aging Advisory Committee Boards. He was a charter member of Alamance Eldercare, Inc. In 1999, he served as Co-Chair with Mrs. Pat S. Bailey on the Alamance County Sesquicentennial Celebration Committee. As a County Commissioner, he served on the Alamance/Caswell Area Mental Health Board, the Alamance County Transportation Authority (ACTA), Alamance Partnership for Children (Smart Start) Board, and the Alamance County 2020 Community Development Plan Citizen Committee.

He was elected to serve on the **Burlington City Council** for three terms from 1985-1997. He was elected to serve as **Alamance County Commissioner** for one term 1998-2004.

As a friend to local history, Dr. Powell has been instrumental in supporting local community efforts to identify Revolutionary War sites in Alamance County and to erect memorial markers for the 1781: **Battle of Clapp's Mill**, **Pyle's Defeat**, and the **Battle of Lindley's Mill**. He assisted in the re-development of the **Glencoe Mill Village** and in creating the **Textile Heritage Museum in Burlington**, and is currently involved with the restoration of the **Historic Woodlawn School**.

Other Interests / Hobbies:

Dr. Powell is a member of the First Presbyterian Church in Burlington.

Dr. Powell enjoys gardening, SCUBA diving, and flying. He pilots his own airplane, a single engine Piper.

Sam loves dogs and has three dogs, a mix from the pound and two Wheaton Terriers.

Awards:

Sam is most proud of being chosen by write-in popular vote as the Best Community Leader of 1999, and Alamance County Favorite Community Leader in 2001 for the Times News "Best Of" awards. In 2004, the Times News chose Dr. Powell as one of the 15 most influential people of Alamance County. He was awarded the Sam Walton Business Leader Award in 1999 from the Wal-Mart of Alamance County, and received the 1999 Community Service Award, and the 2006 Business Advocate of the Year Award from the Alamance County Chamber of Commerce.

Dr. Powell states that Alamance County is a great place to live. What makes it great is the willingness of the people to get involved as volunteers in so many aspects of our daily lives at the community level. That involvement, given freely, exists to varying degrees in many communities, but is particularly strong in Alamance. We have profited greatly from it. He said, "I am proud to be a member of the Alamance Community and believe that you get out of life what you put into it." He encourages everyone to get involved.



STATE ETHICS COMMISSION

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ROBERT L. FARMER
CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 3, 2009

Via email

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of **Dr. Samuel C. Powell's** February 19, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest. However, I did find the potential for a conflict of interest.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The Ethics Act establishes ethical standards for certain public servants. G.S. 138A-31 prohibits public servants from using their positions for their financial benefit. G.S. 138A-36(a) prohibits public servants from participating in certain official actions in which they have an economic interest or if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated would otherwise benefit from that action. Finally, G.S. 138A-32 prohibits public servants from accepting gifts, directly or indirectly, from (1) anyone in return for being influenced in the discharge of their official responsibilities, (2) a lobbyist or lobbyist principal, or (3) a person or entity

which is doing or seeking to do business with the public servant's agency, is regulated or controlled by the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

Dr. Powell currently serves as the Chairperson of the Alamance Community College Board of Trustees ("ACC"). If he is elected to serve on the State Board, then he would be unable to serve on the ACC Board of Trustees.

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely,

Stacey A. Phipps
Attorney, SEI Unit

cc: Dr. Samuel C. Powell
Shante Martin, Ethics Liaison
Chairman of the Board



HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM

RECEIVED

APR 1 2009

4:17pm
cw

1. Russell Tucker (Sponsor's Name) proposes
Anita R. Powers (Name of Nominee) as a nominee for
election to the State Board of Community Colleges for a six-year term.

2. Nominee's Name: Anita Ruth Powers
Occupation: Attorney at Law
Address: PO Box 950 , Wallace, NC 28466
Home Telephone: 910 285 0613
Work Telephone: 910 285 7440
E-mail Address: arplaw1984@msn.com

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds: State Board of Community Colleges

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds:
None

5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?
No

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?
No

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years?
No

8. If elected, will the nominee serve? Yes

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

Yes, if necessary.

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

No

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

11. Is the nominee current on all federal, State, and local taxes? Yes.

Russell Tucker 4-1-09
Signature of Sponsor/Date

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.

Edith R. Warren 4-1-09
Signature of Nominee/Date

Vitae of Anita R. Powers

Profession: *Attorney at Law*

Office: *312 East Hall Street
Post Office Box 950
Wallace, North Carolina 28466
Telephone: (910) 285-7440
Facsimile: (910) 285-4403
Email: arplaw1984@msn.com*

Areas of Practice: *Family Law
Criminal Law
Real Estate Law
General Civil Litigation-Plaintiff*

Background: *1995 to Present - Private Practice
Duplin County, North Carolina*

*1986 to 1994 - Partner, Baker & Powers
Attorneys at Law, Lexington, North Carolina*

*1984-1986 - Assistant District Attorney, 12th
Judicial District, Fayetteville, North Carolina*

Bar Memberships: *Admitted to North Carolina State Bar in 1984*

Bar Associations: *Duplin County Bar Association; North Carolina
Bar Association*

Education: *University of North Carolina at Charlotte, BA
in Political Science, 1981
North Carolina Central University, School of Law
Juris Doctor, 1984*

Community Interests: *Wallace Depot Revitalization Committee
Duplin County Branch - NAACP
President, Duplin County Alumnae Chapter of Delta Sigma Theta Sorority, Inc
Trustee - Adoram Baptist Church
Presenter at numerous organizations and churches on legal issues*

Family: *Married to Wayne E. Branch; stepson, Justin E. Branch
Parents are the Late H. C. Powers and Anna N. Powers*



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ROBERT L. FARMER
CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 3, 2009

Via email

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of Ms. Anita Powers' April 1, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest nor did I find the potential for a conflict of interest.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The Ethics Act establishes ethical standards for certain public servants. G.S. 138A-31 prohibits public servants from using their positions for their financial benefit. G.S. 138A-36(a) prohibits public servants from participating in certain official actions in which they have an economic interest or if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated would otherwise benefit from that action. Finally, G.S. 138A-32 prohibits public servants from accepting gifts, directly or indirectly, from (1) anyone in return for being influenced in the discharge of their official responsibilities, (2) a lobbyist or lobbyist principal, or (3) a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by

The Honorable Joe Hackney

April 3, 2009

Page 2

the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely,

Stacey A. Phipps
Attorney, SEI Unit

cc: Ms. Anita R. Powers
Shante Martin, Ethics Liaison
Chairman of the Board



HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM

RECEIVED

MAR. 31 2009 8:37 am

Carmen Carpenter

1. Representative Ray Warren (Sponsor's Name) proposes
John F. Watts (Name of Nominee) as a nominee for
election to the State Board of Community Colleges for a six-year term.

2. Nominee's Name: John F. Watts
Occupation: Pharmacist
Address: 894 W. Main Avenue Taylorsville, NC 28681
Home Telephone: 828-632-7544
Work Telephone: 828-632-4181
E-mail Address: jwatts77@charter.net

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds: Trustee Cataunta Valley Community College

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds: none

5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges? NO

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?

Spouse - Alexander County Schools
(Teachers Assistant)

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years? NO

8. If elected, will the nominee serve?

Yes

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

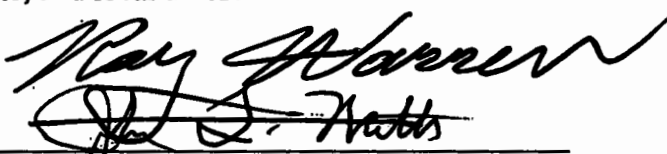
Yes

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense? No

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

11. Is the nominee current on all federal, State, and local taxes?

Yes


Signature of Sponsor/Date

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.


Signature of Nominee/Date

John F. Watts

894 West Main Ave

Taylorsville, NC 28681

Home: 828-632-7544

Cell: 828-320-4062

Email: jwatts77@charter.net

Objective

To obtain an appointment to serve on the NC State Board of Community Colleges.

Education

Alexander Central High School - Valedictorian 1972 Graduate
Student Council, Basketball, Football mgr/stats
Governors School of North Carolina in 1971

University of North Carolina at Chapel Hill
School of Pharmacy, BS in Pharmacy 1977 Graduate
Phi Delta Chi Professional Pharmacy Fraternity
Phi Lambda Sigma Pharmacy Leadership Society
President, Senior Class of Pharmacy School

Work Experience

Crown Drugs of Taylorsville Dec 1976 to June 1993
Revco Drugs June 1993-Sept 1993
Wal-Mart Pharmacy of Taylorsville Sept 1993 - Present

Community Leadership/Service

Alexander County Chamber of Commerce
President (1980-81)
Co-Founder, President-Bob Gryder Scholarship Foundation
From 1974 - Present

Community Leadership/Service cont'd

UNC Morehead Scholarship Selection Committee 1977-1986
Alexander/Wilkes Chairman

Board of Directors, Catawba Valley Community Foundation
Grants Committee, Chairperson (2000-2008)

Board of Governors of Governors School of NC 1992-1998
Chairman - 1993-1998
First Alumnus of Governors School to serve on Board of Governors

UNC School of Pharmacy Alumni Association
President (1996-97)

Member, First Baptist Church of Taylorsville
Served a leadership role in several capacities

Elective Office Service

Alexander County Board of Education 1986-1994
Budget Chairman, Vice-Chairman

Alexander County Board of Commissioners 1998-2002
Served as Chair/Vice Chair from 8/2004-11/2004

Trustee, Catawba Valley Community College Board of Trustees
First resident of Alexander County chosen to serve on the Board

Personal

Born 12/19/1953

Wife: Susan

Children: Nita Putnam of Woodbridge, VA
Jonathan Watts of Taylorsville, NC

CVCC board includes first Alex representatives

Funding concerns prompt service fees, delay independent operation of program

By VICKI GREENE
Record Staff Writer

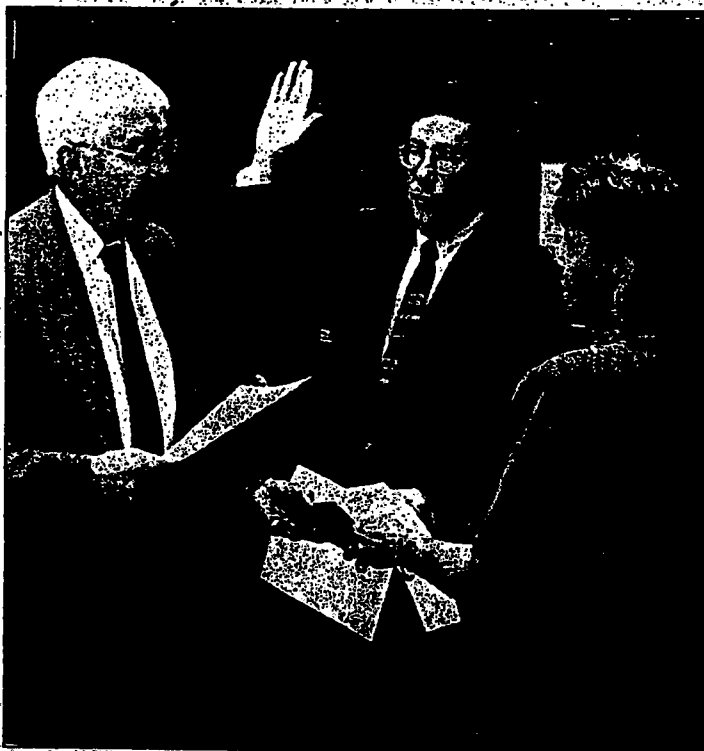
Two new members of the Catawba Valley Community College Board of Trustees took the oath of office Thursday, becoming the first representatives from Alexander County to serve on the board.

Alexander County Commissioner John Watts and Dr. Josephine Foster, who has 44 years experience in education, called the inclusion of Alexander County on the board "a giant step forward" in providing education for students of all ages. Alexander County is part of CVCC's two-county service area.

CVCC President Dr. Cuyler Dunbar presented a recently signed copy of a 20-year lease agreement with Alexander County for a new facility to Watts. The 15,000-square-foot building, off N.C. 16, will soon be renovated to meet educational needs.

Alexander County works with CVCC to supply community college programs to residents. The community college has pledged to give Alexander County funds from its share of the state higher education bond to renovate and restore the new building, purchased last year.

Dr. Ray Lane, vice president of fiscal affairs, announced renovations to the building likely will not be completed until late summer or early fall due to the large number of state building projects currently on the schedule.



Dr. Grimes Byerly, chairman of the Catawba Valley Community College board of trustees, administers the oath of office to new trustees John F. Watts and Dr. Josephine Foster.

The board also approved the temporary housing of the Hickory Metro Sports Commission's Hall of Fame in the college's multipurpose center until a permanent site for the display is obtained.

About a quarter of one wall in the center will be used to display items from the members of the Hall of Fame.

In other motorsports news, Dunbar said a new, private motorsports school in Mooresville, NASCAR Technical Institute, broke ground this week. While the new school's ties to NASCAR are enviable, he said, CVCC's Bobby Isaac Motorsports Technology Program has a different focus than the new school.

CVCC's program focuses

more on the business operations, fabrications and Winston Cup-type body building aspects of the industry, rather than solely on mechanics.

CVCC does have an auto mechanic program, which is a different part of the curriculum, and Dunbar said the CVCC programs will be continue to be competitive as the college continues to promote these fields of study.

As state and local funding concerns mount for fiscal year 2001-2002, CVCC approved three new service fees to help offset costs.

Test proctoring for students from other institutions will carry a \$25 fee and an additional \$10 fee for students requiring use of a

computer and/or other special equipment or facilities. Testing fees will be waived for CVCC employees and students enrolled in North Carolina Community College System courses.

Fees will also be charged for MOUS testing and a materials fee for some electrical/electronic maintenance courses.

Dr. Linda Phillips, vice president of academic and student affairs, reported to the board that CVCC is forced to delay independently operating its new radiographic technology (X-ray tech) program due to state budget restrictions.

CVCC began offering the program in collaboration with Forsyth Technical Community College two years ago. Phillips said the program will stay with FTCC for one more year, although CVCC has been ready to take ownership for months.

Informational meetings are scheduled at 4:30 p.m. Thursday and 5:30 p.m. June 6 for anyone interested in the radiography technician program. The one-hour meetings, to be held in the Robert E. Paap Building conference room on the CVCC main campus, will include Bruce James, radiography instructor, and Naomi East, chair of health programs, discussing and answering questions about the new program.

The next session of the two-year associate degree radiography program will begin in the fall.

For more information, contact East at 327-7000, Ext. 4334 or neast@cvcc.cc.nc.us or James at Ext. 4132 or bjames@cvcc.cc.nc.us.

Reach Vicki Greene at 322-4510, Ext. 249 or vgreene@hickoryrecord.com.



BOARD OF TRUSTEES

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Forrest A. Ferrell, *Vice Chair*
Glenn E. Barger
Brenard G. Brown

John D. Clark
Josephine A. Foster
Ann H. Gaither
Jeffrey A. Hale

D. Joe Long
Charles M. Snipes
Charles R. Preston
Ernest E. Stone

John F. Watts
Rosemary Bass Young

Dr. Garrett D. Hinshaw, President

January 28, 2008

TO: Members of the House of Representatives - (2009-2010) Session

RE: Recommendation for State Board Appointment

The Catawba Valley Community College Board of Trustees would like to ask that you consider our individual and collective recommendation of John F. Watts as your next appointment to serve on the State Board.

Once the Catawba Valley Community College (CVCC) Alexander Center location received State Board approval as a satellite center, Mr. Watts was one of the first appointments to serve as a Trustee made by the Alexander County Commissioners (in 2001). At that time, he was also serving as an Alexander County Commissioner.

Mr. Watts is entering his eighth year of service as a CVCC Trustee. During this time, he has brought both insight and leadership as he served on the CVCC Building and Grounds sub-committee. This committee is responsible for renovations to existing buildings and new construction on campus. Mr. Watts is currently serving on the Finance Committee. This committee reviews and recommends financial decisions impacting the College budget and assuring a sound financial base for current and future operations. He has recently been appointed as Chair of the Legislative Committee and has worked as a liaison with Representative Ray Warren to keep him abreast of issues that are relevant to the continued success of the College. He has given generously of his time and has served unselfishly. We feel he would bring these same strengths to the State Board.

We appreciate your time and consideration of this recommendation.

Charles M. Snipes *Josephine A. Foster* *D. Joe Long*
Glenn E. Barger *John D. Clark* *Ernest E. Stone*
Jeffrey A. Hale *Brenard G. Brown* *Rosemary Bass Young*
Ann H. Gaither *Stephen B. Neuville* *Dr. Garrett D. Hinshaw*
Charles R. Preston *Forrest A. Ferrell*

Equal Opportunity/Affirmative Action Institution
2550 Highway 70, SE Hickory, North Carolina 28602-9699
Telephone: (828) 327-7000 FAX: (828) 327-7276

www.cvcc.edu

Resolution No. 2009- 03
RESOLUTION IN SUPPORT OF JOHN F. WATTS
FOR STATE APPOINTMENT

WHEREAS, John F. Watts graduated in 1972 from Alexander Central High School as Valedictorian; and

WHEREAS, John F. Watts graduated from the University of North Carolina at Chapel Hill School of Pharmacy in 1977 being elected as president of the Senior Class of Pharmacy; and

WHEREAS, John F. Watts served as Alexander / Wilkes chairman for the UNC Morehead Scholarship Selection Committee from 1977-1986; and

WHEREAS, John F. Watts served on the Alexander County Board of Education from 1986-1994 in many leadership capacities including budget chairman and vice-chairman; and


WHEREAS, John F. Watts served on the Board of Governors of the NC Governors School from 1992-1998, serving as chairman 5 of those 6 years; and

WHEREAS, John F. Watts served as an Alexander County Commissioner from 1998-2002 and a portion of 2004 where he held both the chairman and vice-chairman positions; and

WHEREAS, John F. Watts is currently a trustee to the Catawba Valley Community College Board and has been for 8 years.

NOW, THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners recommends John F. Watts be appointed to serve on the North Carolina State Board of Community College Trustees which would benefit from his educational excellence, proven leadership skills and his dedication to community service.

Adopted the 2nd day of February, 2009



Katherine W. Barnes, Chair
Catawba County Board of Commissioners

RESOLUTION NO. 09- 017

CITY OF HICKORY
RESOLUTION IN SUPPORT OF JOHN F. WATTS
FOR STATE APPOINTMENT

WHEREAS, John F. Watts graduated in 1972 from Alexander Central High School as Valedictorian; and

WHEREAS, John F. Watts graduated from the University of North Carolina at Chapel Hill School of Pharmacy in 1977, being elected as President of the Senior Class of Pharmacy; and

WHEREAS, John F. Watts served as Alexander/Wilkes Chairman for the UNC Morehead Scholarship Selection Committee from 1977-1986; and

WHEREAS, John F. Watts served on the Alexander County Board of Education from 1986-1994 in many leadership capacities including Budget Chairman and Vice-Chairman; and

WHEREAS, John F. Watts served on the Board of Governors of the NC Governors School from 1992-1998, serving as Chairman 5 of those 6 years; and

WHEREAS, John F. Watts served as an Alexander County Commissioner from 1998-2002 and a portion of 2004, where he held both the Chairman and Vice-Chairman positions; and

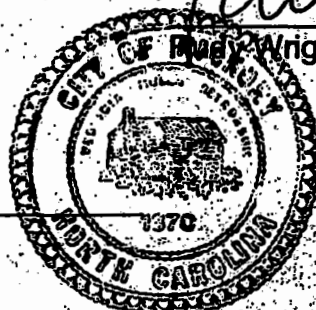
WHEREAS, John F. Watts is currently a Trustee to the Catawba Valley Community College Board and has been for 8 years, being the first resident of Alexander County chosen to serve on the Board.


NOW, THEREFORE, BE IT RESOLVED that the Hickory City Council unanimously recommends that John F. Watts be appointed to serve on the NC State Board of Community College Trustees because of his many educational honors, his leadership as exemplified by his elective service to the citizens of Alexander County, and his community service.

Adopted this 3rd day of February, 2009.

ATTEST:


Pamela S. Tallent, City Clerk




Mayor



Alexander County

Administrative Offices

TO: MEMBERS OF THE HOUSE OF REPRESENTATIVES

FROM: ALEXANDER COUNTY COMMISSIONERS

REFERENCE: RECOMMENDATION FOR STATE BOARD APPOINTMENT

The Alexander County Board of Commissioners unanimously recommends, John F. Watts as your next appointment to serve on the State Board.

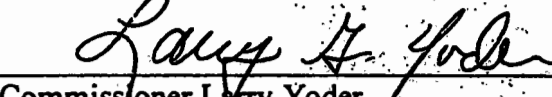
Mr. Watts has served with distinction in a number of capacities as demonstrated by his education and many honors as documented in the attached resolution.

This action was approved on January 20, 2009 by:


Chairman W. Darrell Robertson

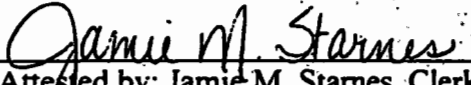

Vice-Chairman Wes Bolick


Commissioner Harold Odom


Commissioner Larry Yoder


Commissioner Ryan Mayberry


County Manager Rick French


Attested by: Jamie M. Starnes, Clerk to the Board

front
back

Town of Taylorsville

"The Brushy Mountain Gateway"

67 Main Avenue Drive

Taylorsville, North Carolina 28681

828.632.2218 (Phone) • 828.632.7964 (Fax)

www.taylorsvillenc.com

February 3rd, 2009

To: The Honorable North Carolina House of Representative's

SUBJECT: LETTER OF RECOMMENDATION REGARDING AN APPOINTMENT TO THE NORTH CAROLINA BOARD OF COMMUNITY COLLEGE TRUSTEES, MR. JOHN F. WATTS

The Town of Taylorsville officially requests your consideration regarding our efforts to acknowledge the local acts of servitude exemplified by John F. Watts. Mr. Watts is a life long Town Citizen who has actively engaged with the community to advance the attributes and importance of educational equality. Beginning in 1986 thru 1994 he served as a member of the Alexander County Board of Education. Mr. Watts has also served as an Alexander County Commissioner from 1998 thru 2002, establishing a team approach fostering empathetic action to improve the information sharing process and collaborative vision, between the Commissioners and the School Board. Mr. Watts actively sought improvements regarding teacher supplement funding and reductions in class size. Mr. Watts currently serves as an active member of the Catawba Valley Community College Board of Trustees, a post he has held since April 2001. Our aspirations as an elected body simply stated is to endorse Mr. John F. Watts as he actively seeks placement consideration as a member the North Carolina Community College Board of Trustees. We are unaware of any circumstances that would hinder our recommendation. Mr. Watts holds an established, honorable record and holds measured respect within our town. His individual personal mastery regarding the education of others is a gift indeed and should be rightfully shared with our State family.

Respectfully Submitted,

Mayor Guy E. Barriger

George B. Holleman
Mayor Pro Tem. George Holleman

Guy E. Barriger
Commissioners, Mr. Kenny Poole

Jack Lerner
Mr. Jack Lerner

Mr. Ronnie Robinette

Ronnie Robinette

Official Seal:



STATE ETHICS COMMISSION

1324 MAIL SERVICE CENTER
RALEIGH, NC 27699-1324
WWW.ETHICSCOMMISSION.NC.GOV

ROBERT L. FARMER
CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 3, 2009

Via email

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of **Mr. John F. Watts'** March 24, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest nor did I find the potential for a conflict of interest.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The Ethics Act establishes ethical standards for certain public servants. G.S. 138A-31 prohibits public servants from using their positions for their financial benefit. G.S. 138A-36(a) prohibits public servants from participating in certain official actions in which they have an economic interest or if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated would otherwise benefit from that action. Finally, G.S. 138A-32 prohibits public servants from accepting gifts, directly or indirectly, from (1) anyone in return for being influenced in the discharge of their official responsibilities, (2) a lobbyist or lobbyist principal, or (3) a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by

The Honorable Joe Hackney
April 3, 2009
Page 2

the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely;

Stacey A. Phipps
Attorney, SEI Unit

cc: Mr. John F. Watts
Shante Martin, Ethics Liaison
Chairman of the Board



HOUSE OF REPRESENTATIVES
STATE BOARD OF COMMUNITY COLLEGES
2009 NOMINATION FORM

RECEIVED

APR 1 2009

3:40pm
CW

1. Nick Mackey (Sponsor's Name) proposes Vilma D. Leake (Name of Nominee) as a nominee for election to the State Board of Community Colleges for a six-year term.

2. Nominee's Name: Vilma D. Leake
Occupation: Mecklenburg County Commissioner
Address: 10122
Home Telephone: 704-971-2058
Work Telephone: 704-336-2088
E-mail Address:

3. List (if any) all State or local offices, either elected or appointed, which the nominee currently holds:

none

4. List (if any) all State or local offices, either elected or appointed, which the nominee's spouse currently holds:

none

5. Is the nominee or the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

No

6. Is the nominee or the nominee's spouse an employee of the State of North Carolina?

No

7. Has the nominee been an employee of the Department of Community Colleges at any time during the last five years?

No

8. If elected, will the nominee serve?

yes

9. If elected, will the nominee and the nominee's spouse resign from any elected or appointed positions which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

yes

10. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

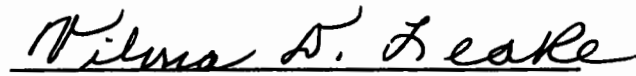
No

11. Is the nominee current on all federal, State, and local taxes? - yes


Signature of Sponsor/Date

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "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 shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae.


Signature of Nominee/Date March 30, 2009

Rep. Nick Mackey

From: Robin Bradford [rlbradford17@gmail.com]
Sent: Tuesday, March 31, 2009 2:09 PM
To: Rep. Nick Mackey
Subject: 3rd email Leake Resume

If you didn't receive it from the 2nd attached email I have pasted and copied it to the email itself

Name: Vilma D. Leake
Title: County Commissioner #2
Company/Organization: City of Charlotte/Mecklenburg County
Address: P.O. Box 34233, Charlotte, NC 28234
Telephone: (704)971-2058
Email: VilmaLeake@mecklenburgcountync.gov

Education

<u>Degree</u>	<u>Institution</u>	<u>Year Graduated</u>
B. S.	Livingston College Salisbury, N.C.	1957
M. Ed.	University of Buffalo Buffalo, N.Y.	1964
Supervisor & Principal	University of N. C. Charlotte Charlotte, NC	1969
Speed Reading	CPCC Charlotte, NC	1972
Leadership	Peace College Raleigh, NC	1973
Organization & Leadership	University of San Francisco San Francisco, California	Completed all Course for PhD.

Professional/Business Affiliations**Position**

Business and Professional Women Charlotte Mecklenburg Association of Educators - 1982	President 1979
National Association of Educators Delegate to National Convention for 20 years	
North Carolina Association of Educators of Directors 6 yrs	State Board
Black Women's Caucus	
Black Political Caucus	
State Executive Board of the Democratic Party	
Delta Sigma Theta Sorority, Inc.	
Phi Lambda Theta - National Honors Educator	
Elected National School Board Association	
Member of Little Rock AME Zion Church	
Missionary Supervisor AME Zion Church	
WH & OM Society-AME Zion Church	First Vice President

Awards/Honors Received

From the City of Raleigh –Outstanding Educator (Lead and organized 10,000 teachers to Raleigh, NC February 14, 1989)

Paul Robeson Award from the AME Zion Church National

Outstanding Educators award from Charlotte Mecklenburg Association of Educators

NCAE State Human Relations Award

CMAE Human Relations Award

WH & OM Society Outstanding Missionary Award

Outstanding Teacher Award – Independence High School 5 straight years

Recep of the Human Relations Award of District # 6 and the State of North Carolina

Most Significant Personal /Professional Accomplishments

Lead and Organized march to Raleigh, NC for teachers to receive an increase in salary (10,000 teachers from across the state)

Founded Project Motivation/Inspiration at Independence High School (Me) for minority students providing mentors for the students (Over 45 mentors). Mentors would check on students graded, attendance, clothing needs and support families.

Founded the National and International AME Zion Ministers Wives and Widows Association

Founded the Walk A Mile for Second Mile (Missionaries means for raising money for the society)

Raised over \$100,000.

Elected to School Board and served for 11 years.

Presently serving 1st term as County Commissioner

Project Motivation Inspiration (Independence Sr. High School)

Co-Founder of the Minister Wives of the AME Zion Church

Founder of the Ministers Wives of the North Carolina Conference

1st Vice President of the WHOM Society

Missionary Supervisor of the Esposical Areas 9 & 11 Districts

President of the Charlotte Mecklenburg Association of Educators (16 years)

NCAE “First Timers Club” named after Vilma D. Leake

Served on the Board of Directors (NCAE)

My Philosophy

To support all people. As a candidate for the school board my theme was “All about the Children”. As a candidate for the County Commission my theme was “It’s all about the People”. My philosophy is to reach out and touch somebody’s hand and make this world a better place if you can. My mother the late Mrs. Geneva Dew influenced my values and shaped my morals. Also, Harriett Tubman and Fannie Lou Hammer. Finally, my late husband Bishop George J. Leake III, who provided me with courage to continue the struggle. A charge to keep I have, a God to glorify, A never dying soul to save and fitted for the sky. To serve this present age my calling to fulfill and to do the masters will. This is what I live by.



STATE ETHICS COMMISSION

1324 MAIL SERVICE CENTER

RALEIGH, NC 27699-1324

WWW.ETHICS.COMMISSION.NC.GOV

ROBERT L. FARMER
CHAIRMAN

PERRY Y. NEWSON
EXECUTIVE DIRECTOR

April 20, 2009

The Honorable Joe Hackney
Speaker of the House of Representatives
2304 Legislative Building
Raleigh, NC 27601

Via email

**Re: Statement of Economic Interest for Potential Member of the State Board of
Community Colleges**

Dear Speaker Hackney:

I am in receipt of **Commissioner Vilma D. Leake's** April 1, 2009 Statement of Economic Interest as a potential member of the State Board of Community Colleges ("the Board"). I have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("G.S.") also known as the State Government Ethics Act ("the Act").

I did not find an actual conflict of interest nor did I find the potential for a conflict of interest.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The Ethics Act establishes ethical standards for certain public servants. G.S. 138A-31 prohibits public servants from using their positions for their financial benefit. G.S. 138A-36(a) prohibits public servants from participating in certain official actions in which they have an economic interest or if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated would otherwise benefit from that action. Finally, G.S. 138A-32 prohibits public servants from accepting gifts, directly or indirectly, from (1) anyone in return for being influenced in the discharge of their official responsibilities, (2) a lobbyist or lobbyist principal, or (3) a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by

The Honorable Joe Hackney
April 20, 2009
Page 2

the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in G.S. 138A-32(e).

If you have any questions about any of the foregoing, please do not hesitate to give me a call.

Sincerely,

Stacey A. Phipps
Attorney, SEI Unit

cc: The Honorable Vilma D. Leake
Shante Martin, Ethics Liaison
Chairman of the Board



**HOUSE EDUCATION
SUBCOMMITTEE ON COMMUNITY COLLEGES
2009-2010**

Representative Jimmy L. Love, Sr., Chair
Room 305, LOB
Raleigh, NC
(919) 715-3026

April 20, 2009

MEMORANDUM

TO: Members of the House of Representatives

FROM: Representative Love, Chair, House Education Subcommittee on Community Colleges

RE: Report of Community Colleges Subcommittee on the State Board of Community Colleges Election

Pursuant to G.S. 115D-2.1(b)(4)f., the House Education Subcommittee on Community Colleges met on April 16, 2009 and on April 20, 2009, the majority of members being present, and submits the following nominees, in alphabetical order, to be considered by the House of Representatives for election to the State Board of Community Colleges for membership to a six-year term, beginning July 1, 2009.

K. Ray Bailey
Barbara A. Baker
Barbara Hudson Harrell
C. Jack Horton
Vilma Leake
Samuel C. Powell
Anita Powers
John F. Watts

No additional nominees shall be received from the floor. The above nominees are legally qualified to serve and are willing to serve if elected.

Representative Jimmy L. Love, Sr, Chair
House Education Subcommittee on Community Colleges

VISITOR REGISTRATION SHEET

Education Subcommittee on Community Colleges

Name of Committee

4-16-
~~3-26~~ 09

Date

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

NAME

FIRM OR AGENCY AND ADDRESS

RICHARD STRICKLAND

NCDOZ / OSFM

THOMAS HUNTER

NC COMMUNITY COLLEGES

Jenni Perwillis

NC Com Coll. Syst

Penny Ayff

School of Gov.

Yvonne Johnson

Surry C.C.

House Pages

Education-Community

Name of Committee: Colleges

Date: April 16, 2009

1. Name: Joe Meyerson

County: Guilford

Sponsor: Jeffs

2. Name: Conner Rosenow

County: Alamance

Sponsor: Bordson

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt.-At-Arms

1. Name: John Brandon

2. Name: James Worth

3. Name: _____

4. Name: _____

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
COMMUNITY COLLEGES

April 30, 2009

The House Education Subcommittee on Community Colleges met on Thursday, April 30, 2009, in Room 424 of the Legislative Office Building at 11:00 a.m. The following members were present: Representative Jimmy L. Love, Sr., Chairman; Representatives Alice Bordsen and Marian McLawhorn, Vice Chairs; and Representatives Marilyn Avila, Larry Brown, George Cleveland, Jerry Dockham, Elmer Floyd, Melanie Wade Goodwin, Pat Hurley, James Langdon, Darrell McCormick, Pat McElraft, Joe Tolson, Ray Warren, and Winkie Wilkins. Staff Counselors Shirley Iorio and Kara McCraw were also in attendance. A Visitor Registration list is attached and made part of these minutes.

Chairman Love called the meeting to order. He recognized and thanked Sergeants-at-Arms John Brandon and David Shearon for their service.

The following bills were considered:

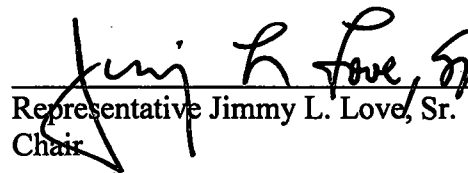
HB 698, AN ACT TO AMEND THE UNSTEAD ACT TO PERMIT FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE TO PROPERLY TAKE ADVANTAGE OF CERTAIN INNOVATIVE TECHNOLOGIES. Representative Margaret Dickson explained the purpose of the bill elaborated on the virtual training technology the College planned to use for education and training. She introduced Dr. Larry King, President of Fayetteville Technical Community College who thanked the Committee for their support. Representative Love briefly explained the Umstead Act. Representative Avila wondered why the community colleges were taking the precaution of passing a law that says we are not competing with the Umstead Act. Kara McCraw of the Research Division noted that there would be training curriculum which might be marketed and may also be doing some modeling for private industry. Representative Avila replied that in essence there is a possibility of a conflict with general business, to which Kara McCraw replied that there was a potential for that. Representative Floyd moved for a favorable report for HB 698 and that it be re-referred to the Committee on Commerce, Small Business, and Entrepreneurship. The motion was seconded and approved. Copies of the Bill and the Bill Summary are attached as part of these minutes.

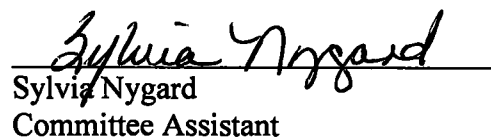
HB 808, AN ACT DIRECTING THE STATE BOARD OF COMMUNITY COLLEGES TO STUDY STRATEGIES FOR MAKING THE CONSTRUCTION PROCESS FOR COMMUNITY COLLEGE FACILITIES MORE EFFICIENT. Representative Jerry Dockham briefly explained the bill, noting that it was introduced at the request of the president of Piedmont Community College in order to simplify and speed up the construction process on community college campuses. Dr. Stephen Scott, President, Wake Technical Community College, and President of the North Carolina Association of Community College Presidents, explained that the community colleges were experiencing significant growth in enrollment and needed to build quickly. He stated that there are a number of duplicative steps the community colleges needed to go through which slowed the process down and that they had been working with the Department of Administration on this bill and had reached an agreement on the wording. Representative Goodwin wanted to make certain that there were safeguards in place to preserve the safety requirements that are the purview of the State

Instruction Office and the Department of Insurance in approving plans. If a building collapses or burns down or something happens, Representative Goodwin stated that she wanted to make sure everyone was covered and the State won't end up being sued because community colleges tried to short circuit the safety process. Representative McCormick wondered if there weren't existing building that could be used, especially if the need was immediate, and a process by which already available buildings could be used or could they just not be brought up to safety standards. President Scott agreed that there were some issues especially when dealing with high school-aged students coming to the campuses. There are some facilities that meet the needs for adults but do not meet the needs for high school-aged students. Representative Avila moved for a favorable report for HB 808 and that it be re-referred to the Committee on State Government/State Personnel. The motion was seconded and approved. A copy of the Bill and Bill Summary are attached as part of these minutes.

There being no further business, Chairman Love adjourned the meeting at 11:15 a.m.

Respectfully submitted,


Representative Jimmy L. Love, Sr.
Chair


Sylvia Nygard
Committee Assistant

Attachments:

- Agenda
- House Bills 698, 808
- Committee Reports
- Visitor Registration Sheets

Education Subcommittee on Community Colleges

11:00 A.M.

I. CALL TO ORDER **Representative Jimmy L. Love, Sr., Chair**

**HB 698 Fayetteville Tech. Umstead Act
Exemption**

Rep. Dickson
Rep. Lucas
Rep. Glazier
Rep. Floyd

HB 808 Study Community College Construction Process

Rep. Gulley
Rep. Dockham

IV. ADJOURNMENT



HOUSE BILL 698: Fayetteville Tech. Umstead Act Exemption

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	April 30, 2009
Introduced by:	Reps. Dickson, Lucas, Glazier, E. Floyd	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

SUMMARY: *HB 698 would create an exception to the Umstead Act to permit the use of personnel, equipment and facilities relating to Interactive Three Dimensional (Advanced Visualization) technology and Tele-presence technology at Fayetteville Technical Community College.*

CURRENT LAW: G.S. 66-58 provides that units, departments, and agencies of State government may not engage in the sale of merchandise or services in competition with private enterprise. The statute also provides a number of exceptions to the general rule.

BILL ANALYSIS: HB 698 would create an exception to G.S. 66-58 to permit the use of personnel, equipment, and facilities relating to Interactive Three Dimensional (Advanced Visualization) technology and Tele-Presence technology at Fayetteville Technical Community College. Proceeds generated must be used to either continue the function of the program or support the educational mission of the school.

EFFECTIVE DATE: HB 698 would become effective when it becomes law.

BACKGROUND: The Advanced Visualization and Interactive Design Center at Fayetteville Technical Community College includes a number of laboratories housing equipment used to create interactive three-dimensional objects, immersive learning modules, and simulation based learning.

H698-SMTC-59(e1) v3

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

1

HOUSE BILL 698

Short Title: Fayetteville Tech. Umstead Act Exemption. (Public)

Sponsors: Representatives Dickson, Lucas, Glazier, E. Floyd (Primary Sponsors); and
Brisson.

Referred to: Education, if favorable, Commerce, Small Business, and Entrepreneurship.

March 23, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE UMSTEAD ACT TO PERMIT FAYETTEVILLE TECHNICAL
3 COMMUNITY COLLEGE TO PROPERLY TAKE ADVANTAGE OF CERTAIN
4 INNOVATIVE TECHNOLOGIES.
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 (3e) The use of personnel, equipment, and facilities relating to Interactive Three
10 Dimensional (Advanced Visualization) technology and Tele-presence
11 technology at Fayetteville Technical Community College. Proceeds
12 generated must be used either to continue the function of this program or to
13 support the educational mission of the school."
14 SECTION 2. This act is effective when it becomes law.





HOUSE BILL 808: Study Community College Construction Process

2009-2010 General Assembly

Committee:	House Assigned To Education Subcommittee on Community Colleges	Date:	April 30, 2009
Introduced by:	Reps. Gulley, Dockham	Prepared by:	Shirley Iorio, Ph D Legislative Analyst
Analysis of:	First Edition		

SUMMARY: *House Bill 808 would require the State Board of Community Colleges to study the construction process for community college facilities.*

House Bill 808 has a serial referral to the State Government/State Personnel Committee.

[As introduced, this bill was identical to S418, as introduced by Sen. Clodfelter, which is currently in Rules and Operations of the Senate.]

BILL ANALYSIS: House Bill 808 would require the State Board of Community Colleges (Board) to review the construction process for community college facilities and study strategies for making the process more efficient. The Board would consider at least the following:

- The capacity of the various community colleges to construct capital facilities without oversight by the Office of State Construction;
- The appropriateness of increasing the cost threshold at which oversight by the Office of State Construction is required for some or all of the community colleges; and
- The need for oversight by the Office of State Construction in counties with an effective county review process.

The Board would report the results of its study to the Joint Legislative Education Oversight Committee prior to March 30, 2010.

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

BACKGROUND:

Chapter 115D of the North Carolina General Statutes is the authority under which the State Board of Community Colleges (State Board) manages the North Carolina Community College System. The State Board has the responsibility to approve sites and building plans for all colleges, regardless of source of funds, under G.S. 115D-5; to approve the sale, exchange, or lease of property under G.S. 115D-15; to approve the acquisition of property under G.S. 115D-20; and to allocate construction grants from state funds under G.S. 115D-31. The North Carolina Administrative Code, under 23 NCAC 02D .0600 "Capital Construction", provides further authority under which the State Board, the Colleges, and the System Office operate.

The State Construction Office (SCO) has, under G.S. 143-341, the responsibility of approving all community college construction projects meeting the minimum expenditure amount for which public bidding is required under G.S. 143-129. The SCO also operates under the authority of 01 NCAC 30A of the North Carolina Administrative Code.

The State Building Commission (SBC) is a statutory body authorized under Article 8B of G.S. 143-135 to perform many duties with regard to the State's capital improvement program. In limited situations, the SBC has authority over community colleges. The SBC also operates under the authority of 01 NCAC 30D of the North Carolina Administrative Code.¹

H808-SMSF-38(e1) v3

¹ Background information is taken from the North Carolina Community College System Construction Manual.
Research Division

O. Walker Reagan, Director

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**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 808*

Short Title: Study Community College Construction Process. (Public)

Sponsors: Representatives Gulley, Dockham (Primary Sponsors); Blackwood, Brisson, Folwell, Johnson, Killian, Mills, and Whilden.

Referred to: Education, if favorable, State Government/State Personnel.

March 26, 2009

- 1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE STATE BOARD OF COMMUNITY COLLEGES TO STUDY
3 STRATEGIES FOR MAKING THE CONSTRUCTION PROCESS FOR COMMUNITY
4 COLLEGE FACILITIES MORE EFFICIENT.
5 The General Assembly of North Carolina enacts:
6 SECTION 1. The State Board of Community Colleges shall review the
7 construction process for community college facilities and shall study strategies for making the
8 process more efficient. In the course of the study the Board shall consider:
9 (1) The capacity of the various colleges to construct capital facilities without
10 oversight by the Office of State Construction;
11 (2) The appropriateness of increasing the cost threshold at which oversight by
12 the Office of State Construction is required for some or all of the colleges;
13 and
14 (3) The need for oversight by the Office of State Construction in counties with
15 an effective county review process.
16 The State Board of Community Colleges shall report the results of its study to the
17 Joint Legislative Education Oversight Committee prior to March 30, 2010.
18 SECTION 2. This act is effective when it becomes law.



**2009 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:

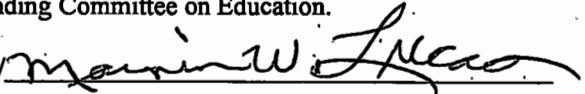
By Representative(s) Love (Chair) for the Education Subcommittee on Community Colleges.

☐ Committee Substitute for

HB 698. A BILL TO BE ENTITLED AN ACT TO AMEND THE UMSTEAD ACT TO PERMIT FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE TO PROPERLY TAKE ADVANTAGE OF CERTAIN INNOVATIVE TECHNOLOGIES.

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

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

s/ 

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
COMMERCE, SMALL BUSINESS, AND ENTREPRENEURSHIP.

(FOR JOURNAL USE ONLY)

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

_____ The bill/resolution is re-referred to the Committee on _____.

**2009 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(s) Love (Chair) for the Education Subcommittee on Community Colleges.

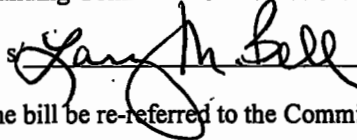
☐ Committee Substitute for

HB 808

A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF
COMMUNITY COLLEGES TO STUDY STRATEGIES FOR MAKING THE CONSTRUCTION
PROCESS FOR COMMUNITY COLLEGE FACILITIES MORE EFFICIENT.

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

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



☒ With a favorable report and recommendation that the bill be re-referred to the Committee on STATE
GOVERNMENT/STATE PERSONNEL.

(FOR JOURNAL USE ONLY)

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

_____ The bill/resolution is re-referred to the Committee on _____

VISITOR REGISTRATION SHEET

Education Subcommittee on Community Colleges

Name of Committee

April 30, 09
Date

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

THOMAS M. HINTER

NC COMMUNITY COLLEGES

Christy Agner

DOA

Penny Griffin

School of Law

Stephen Scott

NC Community Colleges

Jennifer Willis

NECLS

Donna Whitley

Citizen