

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

HOUSE BILL 656
RATIFIED BILL

AN ACT TO PROVIDE FLEXIBILITY TO THE COLLEGE OF THE ALBEMARLE IN USING STATE FUNDS TO ENTER INTO CERTAIN CONSTRUCTION PROJECTS FOR EDUCATIONAL FACILITIES WITH THE COUNTIES SERVED BY THE COMMUNITY COLLEGE.

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

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

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

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

Whereas, the College of the Albemarle would need exemptions from certain State law requirements to enter into such an agreement with the counties and use State funds, including Connect NC Bond funds; Now, therefore,

The General Assembly of North Carolina enacts:

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

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

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

SECTION 2. If State funds described in Section 1 of this act are derived from the proceeds of Connect NC Bonds, then the proceeds shall be expended on the cost of capital facilities that are to be used by the College of the Albemarle to carry out its community college



purposes. The lease shall contain adequate provision to assure that the capital facilities so provided will be used for community college purposes.

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

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

In the General Assembly read three times and ratified this the 30th day of June, 2017.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2017