

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1214

Short Title: Solid Waste Management Commission.

(Public)

Sponsors: Senator Basnight.

Referred to: Environment and Natural Resources.

May 8, 1989

A BILL TO BE ENTITLED

AN ACT TO CREATE THE SOLID WASTE MANAGEMENT COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Article 9 of Chapter 130A of the General Statutes is amended by adding a new Part to read:

“PART 2A. SOLID WASTE MANAGEMENT COMMISSION.

”§ 130A-309.1. Legislative findings; purpose.

The General Assembly finds that:

- (1) North Carolina confronts a crisis in solid waste management due to the shortage of landfill space, the stricter federal regulations that are drastically more expensive to implement, and the present knowledge that landfills threaten the groundwater of this State;
- (2) More effective and responsive management of solid waste is necessary to protect the public health and safety, to protect the environment, and to protect the long term economic well-being of the State;
- (3) The interests of the State are inextricably connected to the proper voluntary management of solid waste by the units of local government. It is in the best interests of the State and its citizens to develop long-term State policies and programs;
- (4) It should be the policy of the State to promote methods of solid waste management that are alternatives to disposal in landfills and to assist units of local government with solid waste management; and
- (5) The State should assume a leadership role in the area of comprehensive solid waste management.

1 It is the purpose of this Part to:

- 2 (1) Advance cooperation and coordination among units of local
3 government, State agencies, the private sector, and the general public;
4 (2) Confront the present and future problems of solid waste management
5 in a timely manner to divert a crisis; and
6 (3) Develop a 20-year comprehensive plan for solid waste management in
7 North Carolina.

8 **"§ 130A-309.2. Solid Waste Management Commission; membership.**

9 (a) The Solid Waste Management Commission is created. The composition of
10 the Commission shall be as follows:

- 11 (1) Two members from State government: the State Health Director and
12 the Director of the Environmental Management Division of the
13 Department of Natural Resources and Community Development,
14 -serving ex officio as voting members;
15 (2) Two members of the General Assembly: one Senator appointed by the
16 President Pro Tempore of the Senate and one Representative appointed
17 by the Speaker of the House of Representatives, selected in part for
18 their demonstrated concern in the area of solid waste management;
19 (3) Four representatives of local government: two appointed by the
20 President Pro Tempore of the Senate and two appointed by the Speaker
21 of the House of Representatives, selected for their experience and
22 demonstrated concern in the area of solid waste management;
23 (4) Two persons who have had experience working with community-
24 based recycling programs: one appointed by the President Pro
25 Tempore of the Senate and one appointed by the Speaker of the House
26 of Representatives;
27 (5) Two representatives of private industry: one appointed by the
28 President Pro Tempore of the Senate and one appointed by the Speaker
29 of the House of Representatives;
30 (6) Two representatives of environmental interest groups: one appointed
31 by the President Pro Tempore of the Senate and one appointed by the
32 Speaker of the House of Representatives; and
33 (7) One member from the field of higher education or research who has
34 demonstrated an expertise and specialized knowledge on the subject of
35 solid waste or solid waste management.

36 (b) The President Pro Tempore of the Senate shall designate one member as
37 cochairman and the Speaker of the House of Representatives shall designate one
38 member as cochairman.

39 (c) All appointments shall not expire for the duration of the Commission. When
40 a vacancy occurs in the membership of the Commission the vacancy shall be filled by
41 the same appointing officer who made the initial appointment.

42 (d) Members of the Commission who are State employees shall receive travel
43 expenses as set forth in G.S. 138-6. The other Commission members shall receive per
44 diem and travel expenses as set forth in G.S. 138-5.

1 (e) A majority of the Commission shall constitute a quorum for the transaction of
2 business.

3 **"§ 130A-309.3. Powers and duties of the Commission.**

4 (a) The Solid Waste Management Commission shall:

5 (1) Develop a comprehensive solid waste management plan that is
6 designed to address solid waste management in North Carolina for the
7 next 20 years, that will protect the air and water quality of the State,
8 that will distribute the burdens of such a plan in an equitable manner,
9 taking all interests into account;

10 (2) Hire a nationally renowned consultant in the area of solid waste
11 management who has demonstrated an ability to develop a long-range
12 solid waste management plan on a statewide basis and to develop
13 legislation to implement such a solid waste management plan; and

14 (3) Submit a final report of its findings, the 20-year solid waste
15 management plan, and any recommended legislation to the General
16 Assembly on or before the first day of the next session of the General
17 Assembly after the plan has been finalized, but no later than March 1,
18 1993, by filing the report with the President Pro Tempore of the Senate
19 and the Speaker of the House of Representatives. Upon filing its final
20 report, the Commission shall terminate.

21 (b) The Commission, while in the discharge of official duties, may exercise all
22 the powers provided for under the provisions of G.S. 120-19, and G.S. 120-19.1 through
23 G.S. 120-19.4. The Commission shall meet at least once every two months upon the
24 joint call of the cochairmen. The Commission may meet in the Legislative Building or
25 the Legislative Office Building.

26 (c) The Commission may contract for professional, clerical, or consultant
27 services as provided by G.S. 120-32.02. The Legislative Services Commission, through
28 the Legislative Administrative Officer, shall assign professional staff to assist in the
29 work of the Commission. The House of Representatives and the Senate's Supervisor of
30 Clerks shall assign clerical staff to the Commission, upon the direction of the
31 Legislative Services Commission. The expenses relating to clerical employees shall be
32 borne by the Commission."

33 Sec. 2. There is appropriated from the General Fund to the General
34 Assembly the sum of \$75,000 for the 1989-90 fiscal year and the sum of \$75,000 for the
35 1990-91 fiscal year for the expenses of the Solid Waste Management Commission.

36 Sec. 3. This act shall become effective July 1, 1989.