

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 695

Short Title: Agriculture Waste Commission.

(Public)

Sponsors: Senators Albertson; Ballantine, Foxx, Hoyle, Martin of Pitt, Winner, Rand, Kincaid, Soles, Speed, Dannelly, Kerr, Forrester, Carrington, Simpson, Cochrane, Little, East, Lucas, Davis, Webster, Perdue, and Cooper.

Referred to: Appropriations

April 13, 1995

A BILL TO BE ENTITLED

AN ACT TO CREATE THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURE WASTE.

The General Assembly of North Carolina enacts:

Section 1. The Blue Ribbon Study Commission on Agriculture Waste (Commission) is created in the General Assembly. The Commission shall study the following issues:

- (1) The effect of agriculture waste on groundwater, drinking water, and air quality and any other environmental impacts of agriculture waste.
- (2) Methods of disposing of and managing agriculture waste currently in use in this State.
- (3) Methods of disposing of and managing agriculture waste that have fewer adverse impacts than those methods currently in use in this State, including positive commercial and noncommercial uses of agriculture waste.
- (4) The economic impact of agriculture waste in areas in this State where there is a high concentration of agriculture waste, including, but not

1 limited to, the impact on property values of land adjacent to agriculture
2 sites and on water treatment costs.

3 (5) Implementation of the recommendations contained in the Swine Odor
4 Task Force reports by the Swine Farm Odor Abatement Study
5 authorized by Section 45 of Chapter 561 of the 1993 Session Laws and
6 any recommendations that result from the federally funded study of the
7 potential for groundwater contamination from animal waste lagoons
8 currently being conducted by the Groundwater Section of the
9 Department of Environment, Health, and Natural Resources.

10 (6) General economic impact of agriculture industries on areas of the State
11 with a high concentration of agriculture waste.

12 (7) Coordination of regulatory activities and any other activities between
13 federal, State, and local government agencies with jurisdiction over any
14 aspect of agriculture industries.

15 (8) Identification of beneficial uses of agriculture waste.

16 Sec. 2. The Blue Ribbon Study Commission on Agriculture Waste shall
17 consist of 18 members to be appointed as follows:

18 (1) Six members appointed by the President Pro Tempore of the Senate.

19 (2) Six members appointed by the Governor.

20 (3) Six members appointed by the Speaker of the House of Representatives.

21 The President Pro Tempore of the Senate and the Speaker of the House of
22 Representatives each shall select a Cochair. A majority of the Commission shall
23 constitute a quorum for the transaction of business.

24 Sec. 3. The Commission shall submit interim reports of its findings and
25 recommendations on a quarterly basis to the 1995 Session of the General Assembly by
26 filing a report with the President Pro Tempore of the Senate and the Speaker of the House
27 of Representatives. The Commission shall submit a final report of its findings and
28 recommendations to the 1996 Regular Session of the General Assembly by filing a report
29 with the President Pro Tempore of the Senate and the Speaker of the House of
30 Representatives prior to the convening of the 1996 Regular Session of the General
31 Assembly. The final report shall contain the findings, recommendations, and any
32 legislative proposals of the Commission. The final report shall identify areas in the State
33 where there is a significant concentration of agriculture waste; include recommendations
34 on reducing agriculture waste in areas where there is an identified and significant harmful
35 impact on groundwater or drinking water; and include recommendations on
36 implementing any of the recommendations contained in the Swine Odor Study or the
37 Groundwater Study considered by the Commission under Section 1 of this act. If at any
38 time during its deliberations, the Commission identifies a recommendation that can be
39 implemented through the Administrative Procedures Act, Chapter 150B of the General
40 Statutes, the Commission shall forward that recommendation with the proposed rule
41 change to the responsible State agency for immediate consideration.

1 Sec. 4. Members appointed to the Commission shall serve until the
2 Commission makes its final report. Vacancies on the Commission shall be filled by the
3 same appointing officer who made the original appointments.

4 Sec. 5. The Commission may contract for consultant services as provided by
5 G.S. 120-32.02. The Commission may obtain assistance from North Carolina State
6 University, particularly from those university resources associated with the ongoing
7 studies conducted by the Swine Odor Task Force. Upon approval of the Legislative
8 Services Commission, the Legislative Administrative Officer shall assign professional
9 and clerical staff to assist in the work of the Commission. Clerical staff shall be
10 furnished to the Commission through the offices of House and Senate supervisors of
11 clerks. The expenses of employment of the clerical staff shall be borne by the
12 Commission. The Commission may meet in the Legislative Building or the Legislative
13 Office Building upon the approval of the Legislative Services Commission. The
14 Commission, while in the discharge of official duties, may exercise all the powers
15 provided under the provisions of G.S. 120-19 through G.S. 120-19.4.

16 Sec. 6. Members of the Commission shall receive per diem, subsistence, and
17 travel allowances as follows:

- 18 (1) Commission members who are also General Assembly members, at the
19 rate established in G.S. 120-3.1.
- 20 (2) Commission members who are officials or employees of the State or
21 local government agencies, at the rate established in G.S. 138-6.
- 22 (3) All other Commission members, at the rate established in G.S. 138-5.

23 Sec. 7. All expenses of the Commission shall be paid out of funds available to
24 the General Assembly for the 1994-95 fiscal year.

25 Sec. 8. This act is effective upon ratification.