

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1472\*  
Committee Substitute Favorable 9/24/98

Short Title: Agency Receipts for Recycling.

(Public)

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Sponsors:

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Referred to:

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May 25, 1998

A BILL TO BE ENTITLED

AN ACT TO ALLOW STATE AGENCIES TO RETAIN RECEIPTS FROM THE SALE OF RECYCLABLE MATERIALS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-64.02 reads as rewritten:

**"§ 143-64.02. Definitions.**

As used in Part 1 of this Article, except where the context clearly requires otherwise:

(1) 'Agency' means an existing department, institution, commission, committee, board, division, or bureau of the State.

(2) 'Nonprofit tax exempt organizations' means those nonprofit tax exempt medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, universities, schools for the mentally retarded, schools for the physically handicapped, radio and television stations licensed by the Federal Communications Commission as educational radio or educational television stations, public libraries, and civil defense organizations, that have been certified by the Internal Revenue Service as tax-exempt nonprofit organizations under section 501(c)(3) of the United States Internal Revenue Code of 1954.

1           (3) 'Recyclable material' means a recyclable material, as defined in G.S.  
2           130A-290, that the Secretary of Administration determines, consistent  
3           with G.S. 130A-309.14, to be a recyclable material.'"

4           Section 2. G.S. 143-64.05 reads as rewritten:

5 "**§ 143-64.05. ~~Warehousing, transfer, etc., charges.~~ Service charges for disposal of**  
6           **surplus property and recyclables; use of receipts from sale of surplus**  
7           **property and recyclable material.**

8           (a) The State agency for surplus property may assess and collect a service charge  
9           ~~charges or fees~~ for the acquisition, receipt, warehousing, ~~distribution~~ distribution, or  
10           transfer of any State surplus ~~property~~ property and for the transfer or sale of recyclable  
11           material.

12           (b) All receipts from the transfer or sale of surplus, obsolete, or unused equipment  
13           of State departments, institutions, and ~~agencies~~ agencies that are supported by  
14           appropriations from the General Fund, except where the receipts have been anticipated  
15           ~~for~~ for or budgeted against the cost of replacements, shall be credited by the Secretary to  
16           the Office of State ~~Treasurer, Nontax Revenues~~ Treasurer as nontax revenue.

17           (c) A department, institution, or agency may retain receipts derived from the  
18           transfer or sale of recyclable material, less any charge collected pursuant to subsection (a)  
19           of this section, and may use the receipts to defray the costs of its recycling activities. A  
20           contract for the transfer or sale of recyclable material to which a department, institution,  
21           or agency is a party shall not become effective until the contract is approved by the  
22           Secretary of Administration. The Secretary of Administration shall adopt rules governing  
23           the transfer or sale of recyclable material by a department, institution, or agency and  
24           specifying the conditions and procedures under which a department, institution, or  
25           agency may retain the receipts derived from the transfer or sale, including the appropriate  
26           allocation of receipts when more than one department, institution, or agency is involved  
27           in a recycling activity.'"

28           Section 3. This act becomes effective 1 July 1998.