

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1413

Short Title: Beverage Container Deposit Study.

(Public)

Sponsors: Representatives Luebke; and Insko.

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

April 29, 1999

A BILL TO BE ENTITLED

AN ACT TO CREATE THE STUDY COMMISSION ON BEVERAGE CONTAINER DEPOSITS.

The General Assembly of North Carolina enacts:

Section 1. The Study Commission on Beverage Container Deposits is created. The Commission shall consist of 12 members as follows:

- (1) Six members of the Senate to be appointed by the President Pro Tempore of the Senate.
- (2) Six members of the House of Representatives to be appointed by the Speaker of the House of Representatives.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair. The Commission shall meet upon the call of the cochairs. A majority of the Commission shall constitute a quorum for the transaction of business.

Section 2. The Commission shall consider the pros and cons of enacting legislation to require a mandatory deposit on beverage containers in North Carolina. In considering this topic, the Commission shall review the effectiveness of beverage container deposit laws enacted in other states; shall consider the advisability and feasibility of banning the use of beverage containers, including cups and bottles, that are made of polystyrene or any other plastic for which there is no viable recycling market in

1 North Carolina; shall evaluate whether a fixed deposit is preferable to a deposit based on
2 the container's redemption value as was adopted in California; shall consider the impact
3 that imposing a beverage container deposit is expected to have on roadside littering; and
4 shall consider any other issue the Commission determines pertinent to its study and
5 worthy of its consideration.

6 Section 3. The Commission may contract for consultant services as provided
7 by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the
8 Legislative Services Officer shall assign professional and clerical staff to assist in the
9 work of the Commission. Clerical staff shall be furnished to the Commission through the
10 offices of the House of Representatives and Senate Supervisors of Clerks. The
11 Commission may meet in the Legislative Building or the Legislative Office Building
12 upon the approval of the Legislative Services Commission. The Commission, while in
13 discharge of official duties, may exercise all the powers provided under the provisions of
14 G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents,
15 agencies, and departments of the State to provide any information, data, or documents
16 within their possession, ascertainable from their records, or otherwise available to them,
17 and the power to subpoena witnesses. Members of the Commission shall receive per
18 diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1.

19 Section 4. The Commission may submit a report to the 2000 Regular Session
20 of the 1999 General Assembly that may contain recommendations and shall report the
21 final results of its study and its recommendations to the 2001 General Assembly. The
22 Commission shall terminate upon filing its final report.

23 Section 5. There is appropriated from the General Fund to the General
24 Assembly the sum of twenty-five thousand dollars (\$25,000) for the 1999-2000 fiscal
25 year and the sum of twenty-five thousand dollars (\$25,000) for the 2000-2001 fiscal year
26 for the costs of the Study Commission on Beverage Container Deposits, created in
27 Section 1 of this act, in performing its work.

28 Section 6. This act becomes effective July 1, 1999.