

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 1385

Short Title: Study/Water Quality Cost Share. (Public)

Sponsors: Senators McKissick; Stevens and Vaughan.

Referred to: Appropriations/Base Budget.

May 26, 2010

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON WATER
QUALITY COST SHARE.

The General Assembly of North Carolina enacts:

SECTION 1. There is established the Legislative Study Commission on Water Quality Cost Share. The Commission shall consist of 18 members appointed as follows:

- (1) Five members of the Senate, appointed by the President Pro Tempore of the Senate.
- (2) Five members of the House of Representatives, appointed by the Speaker of the House of Representatives.
- (3) The Chair of the Environmental Management Commission or the Chair's designee.
- (4) The Director of the North Carolina Water Resources Research Institute.
- (5) A representative from the North Carolina League of Municipalities.
- (6) A representative from the North Carolina Association of County Commissioners.
- (7) A professional engineer registered under the provisions of Chapter 89C of the General Statutes nominated by the Professional Engineers of North Carolina.
- (8) One member who is knowledgeable about wildlife and fisheries habitats and resources, appointed by the President Pro Tempore of the Senate.
- (9) One member who is knowledgeable about water conservation and the restoration of water quality, appointed by the Speaker of the House of Representatives.
- (10) The Chair of the State Water Infrastructure Commission.

SECTION 2. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each designate a cochair. The Commission may meet at any time upon the joint call of the cochairs. A quorum of the Commission shall be a majority of its members.

Vacancies on the Commission shall be filled by the same appointing authority that made the initial appointment.

Subject to the approval of the Legislative Services Commission, the Commission may meet in the Legislative Building or the Legislative Office Building.

The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Director of Legislative Assistants shall assign clerical support



1 staff to the Commission, and the expenses relating to the clerical employees shall be borne by
2 the Commission.

3 The Commission, while in the discharge of its official duties, may exercise all
4 powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The
5 Commission may contract for professional, clerical, or consultant services as provided by
6 G.S. 120-32.02.

7 Members of the Commission shall receive subsistence and travel expenses at the
8 rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

9 **SECTION 3.** The Legislative Study Commission on Water Quality Cost Share
10 shall study the costs and benefits of improving water quality in reservoirs, rivers, and other
11 water resources shared by local governments. In its study the Commission shall consider the
12 water quality issues for local governments located both upstream and downstream from water
13 resources, the wastewater treatment standards that local governments both upstream and
14 downstream must meet, the cost of complying with water quality and wastewater treatment
15 standards, and the benefits received by local governments by complying with those standards.
16 The Commission shall also consider possible alternatives to the current rate structure, treatment
17 programs, and technology used by the State and local governments with regard to water quality
18 and wastewater treatment. The Commission may also consider any other issue that it deems
19 relevant to this study.

20 **SECTION 4.** The Commission shall submit a final report to the General Assembly,
21 no later than the convening of the 2011 General Assembly. The final report shall include the
22 Commission's findings and recommendations under this study, including any legislative or
23 administrative proposals. The Commission shall terminate upon the earlier of the filing of its
24 final report or the convening of the 2011 General Assembly.

25 **SECTION 5.** There is appropriated from the General Fund to the General
26 Assembly the sum of fifty thousand dollars (\$50,000) for the 2010-2011 fiscal year to be
27 allocated to the Legislative Services Office to implement this study.

28 **SECTION 6.** This act becomes effective July 1, 2010.