

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 889
Committee Substitute Favorable 6/1/93

Short Title: Study on Tobacco Warehouse Fees.

(Public)

Sponsors:

Referred to:

April 12, 1993

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE TOBACCO WAREHOUSE STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The Tobacco Warehouse Study Commission is created. The Commission shall study the regulation of fees imposed by tobacco warehouses. In making the study, the Commission shall consider whether the State-imposed limits set in G.S. 106-452 on the amount a tobacco warehouse can charge for its services should be repealed or modified and whether the amounts charged on burley tobacco should be different from the amounts charged on flue-cured tobacco.

Sec. 2. The Commission shall consist of 12 members to be appointed as follows:

- (1) Two members appointed by the President Pro Tempore of the Senate. One appointee shall be a member of the Senate and one shall be an officer or employee of a tobacco company.
- (2) Three members appointed by the Speaker of the House of Representatives. One appointee shall be a member of the House of Representatives and two shall be officers or employees of a tobacco company.
- (3) The Commissioner of the North Carolina Department of Agriculture or a person designated by the Commissioner.
- (4) The President of the North Carolina Farm Bureau Federation, Inc., or a staff member of the Federation designated by the President.

- 1 (5) The Master of the North Carolina State Grange or a person designated
2 by the Master.
- 3 (6) A tobacco grower appointed by the governing board of the Tobacco
4 Growers Association of North Carolina, Inc.
- 5 (7) Two owners or operators of tobacco warehouses appointed by the
6 governing board of the Bright Belt Warehouse Association.
- 7 (8) A leaf tobacco dealer appointed by the governing board of the Tobacco
8 Association of the United States.

9 Sec. 3. Members appointed to the Commission shall serve until the
10 Commission makes its final report. Vacancies on the Commission shall be filled in the
11 same manner as the original appointments were made.

12 Sec. 4. Upon request of the Commission or its staff, all State departments
13 and agencies shall furnish to the Commission or its staff any information that is in their
14 possession or available to them and is needed by the Commission in conducting its
15 study.

16 Sec. 5. The Commission may submit to the General Assembly an interim
17 report, a final report, or both. A report shall contain the findings of the Commission, its
18 recommendations, and any proposed legislation needed to implement the
19 recommendations. If the Commission makes a report to the 1994 Session of the
20 General Assembly, it shall submit the report on or before the first day of the 1994
21 Regular Session of the 1993 General Assembly. If the Commission does not submit a
22 report to that session, it shall submit a final report to the General Assembly on or before
23 January 16, 1995. A report shall be submitted to the General Assembly by filing the
24 report with the Speaker of the House of Representatives and the President Pro Tempore
25 of the Senate. The Commission shall terminate upon filing its final report.

26 Sec. 6. The Commission shall meet upon the call of the cochairs. The two
27 members of the Commission who are members of the General Assembly shall serve as
28 cochairs.

29 Sec. 7. Upon approval of the Legislative Services Commission, the
30 Legislative Administrative Officer shall assign professional and clerical staff to assist in
31 the work of the Commission. Clerical staff shall be furnished to the Commission
32 through the Offices of the House and Senate Supervisors of Clerks. The expenses of
33 employment of the clerical staff shall be borne by the Commission. The Commission
34 may meet in the Legislative Building or the Legislative Office Building upon the
35 approval of the Legislative Services Commission.

36 Sec. 8. Members of the Commission shall be paid per diem, subsistence, and
37 travel allowances as follows:

- 38 (1) Commission members who are also members of the General
39 Assembly, at the rate established in G.S. 120-3.1.
- 40 (2) Commission members who are officers or employees of the State, at
41 the rate established in G.S. 138-6.
- 42 (3) All other Commission members, at the rate established in G.S. 138-5.

43 Sec. 9. There is allocated from the amount appropriated to the General
44 Assembly for conducting studies the sum of fifteen thousand dollars (\$15,000) for the

- 1 1993-94 fiscal year and the sum of fifteen thousand dollars (\$15,000) for the 1994-95
- 2 fiscal year to implement this act.
- 3 Sec. 10. This act becomes effective July 1, 1993.