

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1314*

Short Title: Agency Receipts for Recycling.

(Public)

Sponsors: Senators Kinnaird; Albertson, Cochrane, Dalton, Foxx, Jenkins, Lucas, Odom, Perdue, Phillips, and Weinstein.

Referred to: Agriculture/Environment/Natural Resources.

May 27, 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 materials and supplies' means office paper; corrugated
2 cardboard; glass, metal, or plastic food, beverage, or supply containers;
3 wooden pallets; newspaper; scrap metal; used motor oil; cloth; brush,
4 leaves, grass, twigs, stumps, and other arboreal materials; construction
5 rubble; ash; cooking grease; photographic film and chemicals; telephone
6 directories; and any other materials that are determined by the Secretary
7 of Administration, consistent with G.S. 130A-309.14, to be recyclable
8 materials and supplies."

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

10 **"§ 143-64.05. ~~Warehousing, transfer, etc., charges.~~ Fees related to surplus property;**
11 **use of receipts from surplus property and recyclables.**

12 (a) The State agency for surplus property may assess and collect service charges or
13 fees for the acquisition, receipt, warehousing, distribution or transfer of any State surplus
14 property.

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

20 (c) Receipts from the transfer or sale of recyclable materials or supplies may be
21 retained by the department, institution, or agency that recycles them and may be used to
22 defray the costs of its recycling activities. The Secretary of Administration may adopt
23 rules governing the conditions and procedures for retaining receipts by a department,
24 institution, or agency from the sale of recyclable materials and supplies, including the
25 appropriate allocation of receipts when more than one department, institution, or agency
26 is involved in a recycling activity."

27 Section 3. This act becomes effective July 1, 1998.