

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 1456  
Committee Substitute Favorable 5/9/07**

Short Title: Solid Waste Management Authority Property.

(Public)

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Sponsors:

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Referred to:

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April 16, 2007

A BILL TO BE ENTITLED

1 AN ACT TO FACILITATE THE ACQUISITION AND DISPOSITION OF  
2 PROPERTY AND THE PROCUREMENT OF GOODS AND SERVICES BY  
3 REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES.  
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 153A-427(b) reads as rewritten:

7 "(b) The acquisition and disposal of real and personal property by an authority  
8 created under this Article shall be governed by those provisions of the General Statutes  
9 which govern the acquisition and disposal of real and personal property by ~~counties~~  
10 counties, except that Article 8 of Chapter 143 of the General Statutes and Part 3 of  
11 Article 8 of Chapter 153A of the General Statutes do not apply. No authority created  
12 pursuant to this Article shall exercise any power of eminent domain with respect to any  
13 property located outside the territorial jurisdiction of the members of such authority."

14 **SECTION 2.** G.S. 153A-427(c) reads as rewritten:

15 "(c) Each authority's plan shall take into consideration facilities and other  
16 resources for management of solid waste which may be available through private  
17 enterprise. This Article shall be construed to encourage the involvement and  
18 participation of private enterprise in solid waste management. An authority created  
19 pursuant to this Article shall establish goals for the procurement of goods and services  
20 from minority and historically underutilized businesses."

21 **SECTION 3.** G.S. 143-129.2(f) reads as rewritten:

22 "(f) ~~The~~ Except for authorities created pursuant to Article 22 of Chapter 153A of  
23 the General Statutes, the construction work for any facility or structure that is ancillary  
24 to a solid waste or sludge management facility and that does not involve storage and  
25 processing of solid waste or sludge or the separation, extraction, and recovery of useful  
26 or marketable forms of energy and materials from solid waste at a solid waste  
27 management facility shall be procured through competitive bidding procedures  
28 described by G.S. 143-128 through 143-129.1. Ancillary facilities include but are not

- 1 limited to roads, water and sewer lines to the facility limits, transfer stations, scale  
2 houses, administration buildings, and residue and bypass disposal sites."  
3           **SECTION 4.** This act is effective when it becomes law.