

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE DRS15399-LH-270 (04/30)

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

Sponsors: Senator McKissick.

Referred to:

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

4 The General Assembly of North Carolina enacts:

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

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

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

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

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

34 The Legislative Services Commission, through the Legislative Services Officer,
35 shall assign professional staff to assist the Commission in its work. The House of



1 Representatives' and the Senate's Director of Legislative Assistants shall assign clerical support
2 staff to the Commission, and the expenses relating to the clerical employees shall be borne by
3 the Commission.

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

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

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

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

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

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