

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 817
HOUSE BILL 999

1 AN ACT TO AMEND ARTICLE 4, SCHEDULE D, DIVISION I OF CHAPTER 105 OF
2 THE GENERAL STATUTES TO PROVIDE FOR THE AMORTIZATION OF CAPITAL
3 INVESTED IN AIR CLEANING DEVICES.
4

5 The General Assembly of North Carolina do enact:
6

7 **Section 1.** G.S. Section 105-130.10, as the same appears in the 1967 Cumulative
8 Supplement to Volume 2D of the General Statutes, is hereby amended by rewriting the same to
9 read as follows:

10 **"G.S. 105-130.10. Amortization of Air-Cleaning Devices and Waste Treatment Facilities.**
11 In lieu of any depreciation allowance, at the option of the corporation, a deduction shall be
12 allowed for the amortization of the cost of any air cleaning device, sewage or waste treatment
13 plant, including waste lagoons, and pollution abatement equipment purchased or constructed
14 and installed which reduces the amount of air or water pollution resulting from the emission of
15 air contaminants or the discharge of sewage, industrial waste, or other polluting materials or
16 substances into the outdoor atmosphere or streams, lakes, rivers, or coastal waters, based on a
17 period of sixty (60) months. The deduction provided herein shall apply also to the facilities or
18 equipment of private or public utilities built and installed primarily for the purpose of providing
19 sewer service to residential and outlying areas. The deduction provided for in this Section shall
20 be allowed by The Commissioner of Revenue only upon the condition that the corporation
21 claiming such allowance shall furnish to the Commissioner a certificate from the Board of
22 Water and Air Resources certifying that said Board has found as a fact that the air cleaning
23 device, waste treatment plant, or other pollution abatement equipment purchased or constructed
24 and installed as above described has actually been constructed and installed and that such
25 construction, plant or equipment complies with the requirements of said Board with respect to
26 such devices, construction, plants or equipment, that such device, plant or equipment is being
27 effectively operated in accordance with the terms and conditions set forth in the permit,
28 certificate of approval, or other document of approval issued by the Board of Water and Air
29 Resources, and that the primary purpose thereof is to reduce air or water pollution resulting
30 from the emission of air contaminants or the discharge of sewage and waste and not merely
31 incidental to other purposes and functions. The deduction herein provided for shall also be
32 allowed as to plants or equipment constructed or installed after January 1, 1955, but only with
33 respect to the undepreciated value of such plants or equipment."

34 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

35 **Sec. 3.** This Act shall be effective upon its ratification.

36 In the General Assembly read three times and ratified, this the 12th day of June,
37 1969.