

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 765  
SENATE BILL 898

AN ACT TO ESTABLISH AN ADVISORY COMMITTEE CONCERNING ANIMAL  
WASTE POLLUTION.

The General Assembly of North Carolina enacts:

**Section 1.** Intent. An adequate supply of livestock, poultry and other animals which is essential to the health and economy of North Carolina and the nation, is dependent upon a competitive opportunity and a fair profit. The proper management and disposal of animal wastes are necessary to prevent water pollution and other health hazards and to maintain a quality environment. It is the intent of this act to provide a mechanism for the study of problems associated with animal waste disposal by the Board of Water and Air Resources with the aid of the Advisory Committee created by Section 4 of this act.

**Sec. 2.** Definitions. As used in this act, unless the context otherwise requires:

- (1) "Animal" shall mean any species of food, fur or pleasure animal, including, but specifically not limited to, beef and dairy cattle, goats, horses, sheep and swine.
- (2) "Poultry" shall mean any species of bird, including, but specifically not limited to, chickens, ducks, geese and turkeys.
- (3) "Animal or poultry production unit" shall mean any area designed or used, in whole or in part, for the confined feeding or holding of animals or poultry.
- (4) "Animal waste" shall mean (a) feces; (b) urine; and (c) associated waste-waters which shall mean all liquid or water-borne wastes, deriving from or created by the operation of an animal or poultry production unit, and shall include, without limitation, milking parlor wastes from raw milk dairies.
- (5) "Board" shall mean the North Carolina Board of Water and Air Resources.
- (6) "Confined feeding" shall mean the feeding of animals or poultry for food, fur or pleasure purposes in confined lots, pens, pools, or ponds which are not normally used for raising crops and in which no vegetation, intended for animal feedstuffs, is growing. This shall not include a wintering operation in lots or on farming ground unless the operation causes a pollution problem.
- (7) "Holding" shall mean recurring, short-term confinement of animals or poultry.
- (8) "Office" shall mean Office of Water and Air Resources, Department of Natural and Economic Resources or its successor agency.

**Sec. 3.** Survey of animal wastes. The Board of Water and Air Resources, with the aid of the Advisory Committee established by Section 4 of this act, shall conduct a preliminary survey and appraisal of the animal waste disposal problem in North Carolina. The survey shall be completed within 12 months after the effective date of this act, and shall be carried out with the cooperation and the assistance of the Commissioner of Agriculture and the Agricultural Extension Service.

**Sec. 4.** Advisory Committee, (a) There is established an Advisory Committee for the purpose of assisting and advising the Board in the development of: (i) criteria, standards, policies, rules and regulations that may hereafter be adopted by the Board concerning animal

waste disposal, and (ii) proposals for legislation concerning animal waste disposal. The Advisory Committee shall study and make timely recommendations to the Board on all matters and things relative to animal waste disposal referred to the Advisory Committee by the Board or undertaken by the Advisory Committee on its own motion.

(b) **Membership.** The Advisory Committee shall be composed of five permanent members who shall be the Chairman of the North Carolina Board of Water and Air Resources, the Commissioner of the North Carolina Department of Agriculture, the State Health Director of the North Carolina State Board of Health, the Chairman of the North Carolina Soil and Water Conservation Committee, and the Chairman of the Wildlife Resources Commission, or their designees; four members who are employed in the School of Agriculture and Life Sciences of North Carolina State University to be appointed by and to serve at the pleasure of the Dean of the School of Agriculture and Life Sciences of North Carolina State University, one of whom shall be a person experienced in the management or production of animals or poultry, one of whom shall be a person experienced in biological and agricultural engineering, one of whom shall be a person experienced in aquatic biology, and one of whom shall be a person experienced in soil science; and six members, to be appointed by and to serve during the term of and at the pleasure of the Governor, one of whom shall be actively engaged in commercial poultry production, one of whom shall be actively engaged in commercial swine production, one of whom shall be actively engaged in commercial dairy production, and one of whom shall be actively engaged in commercial beef production, and two of whom shall be members at large who are professionally trained in ecology or natural resource conservation and not be persons engaged in animal or poultry production.

(c) **Chairman.** The Chairman of the Board of Water and Air Resources shall convene the Advisory Committee to elect a chairman and vice-chairman from its membership.

(d) **Meetings.** The chairman, or in his absence or incapacity the vice-chairman, from time to time shall call meetings of the committee to be held at such time and place as may be designated for the purpose of transacting the business of the committee. The chairman shall call a meeting at any time upon request in writing of any five of the members of the committee. A written notice shall be given to every member at least seven days in advance of the day of the meeting. A simple majority of the committee shall constitute a quorum.

(e) **Compensation.** Members of the committee shall receive the usual and customary per diem allowed for members of other boards and commissions of the State, and as fixed in the biennial appropriation act, and, in addition, shall receive subsistence and travel expenses according to the prevailing State practices and as allowed and fixed by statute for such purposes. These funds shall be paid from monies allocated to the Board. Per diem and subsistence payments shall be made for time necessarily spent by committee members in traveling to and from their places of residence within the State to any committee meeting.

(f) The office shall furnish to the committee any necessary supplies and clerical or stenographic services and shall maintain the official minutes and proceedings of the committee.

**Sec. 5.** This act shall become effective July 1, 1973, and shall remain in effect until September 1, 1975.

In the General Assembly read three times and ratified, this the 23rd day of May, 1973.