

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 507
HOUSE BILL 331

AN ACT TO AMEND THE UNIFORM BOLL WEEVIL ERADICATION ACT, ARTICLE 4F OF CHAPTER 106.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-65.73 is amended by inserting between the first and second sentences thereof the following:

"The Commissioner is also authorized to promulgate regulations governing the movement of regulated articles from other states or portions thereof into this State when such state is known to be infested with the boll weevil."

Sec. 2. G.S. 106-65.74 is amended by inserting between the first and second sentences thereof the following:

"The Commissioner is authorized to promulgate reasonable regulations regarding areas where cotton cannot be planted within an elimination zone when he has reason to believe it will jeopardize the success of the program or present a hazard to public health or safety."

Sec. 3. G.S. 106-65.74 is further amended by adding at the end thereof the following:

"The Commissioner is authorized to set by regulation a reasonable schedule of penalty fees to be assessed when growers in designated 'elimination zones' do not meet the requirements of regulations issued by the Commissioner with respect to reporting of acreage (G.S. 106-65.73) and participation in cost sharing as prescribed by regulation. Such penalty fees shall not exceed a charge of twenty-five dollars (\$25.00) per acre. When a grower fails to meet the requirements of regulations promulgated by the Commissioner, the Commissioner shall have authority in elimination zones to destroy cotton not in compliance with such regulations."

Sec. 4. G.S. 106-65.75 is amended by rewriting the first sentence thereof to read as follows:

"The Commissioner or his authorized representative shall have authority to destroy, or in his discretion, to treat with pesticides volunteer or other noncommercial cotton and to establish procedures for the purchase and destruction of commercial cotton in elimination zones when the Commissioner deems such action necessary to effectuate the purposes of this Article."

Sec. 5. G.S. 106-65.75 is further amended by adding at the end of the second sentence thereof the following:

"or the regulations adopted pursuant thereto."

Sec. 6. Nothing herein contained shall be construed to obligate the General Assembly to make additional appropriations to the Department of Agriculture to implement the provisions of this act.

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of June, 1977.