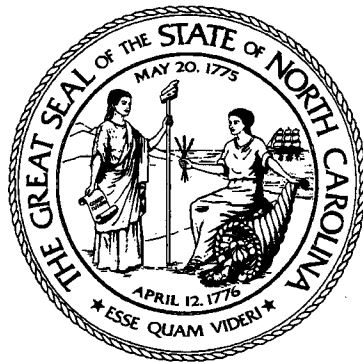


**THE COMMISSION ON AGRICULTURE,
FORESTRY AND SEAFOOD AWARENESS**



INTERIM REPORT
REPORT TO THE
1996 REGULAR SESSION
OF THE 1995 GENERAL ASSEMBLY
OF NORTH CAROLINA

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May 13, 1996

TO THE MEMBERS OF THE 1996 REGULAR SESSION OF THE 1995 GENERAL ASSEMBLY:

The Agriculture and Forestry Awareness Study Commission herewith submits to you for your consideration its report.

Respectively Submitted,

A handwritten signature in cursive script, appearing to read "Charles W. Albertson".

Senator Charles W. Albertson

A handwritten signature in cursive script, appearing to read "John W. Brown".

Representative John W. Brown

Cochairs
Agriculture and Forestry Awareness
Study Commission

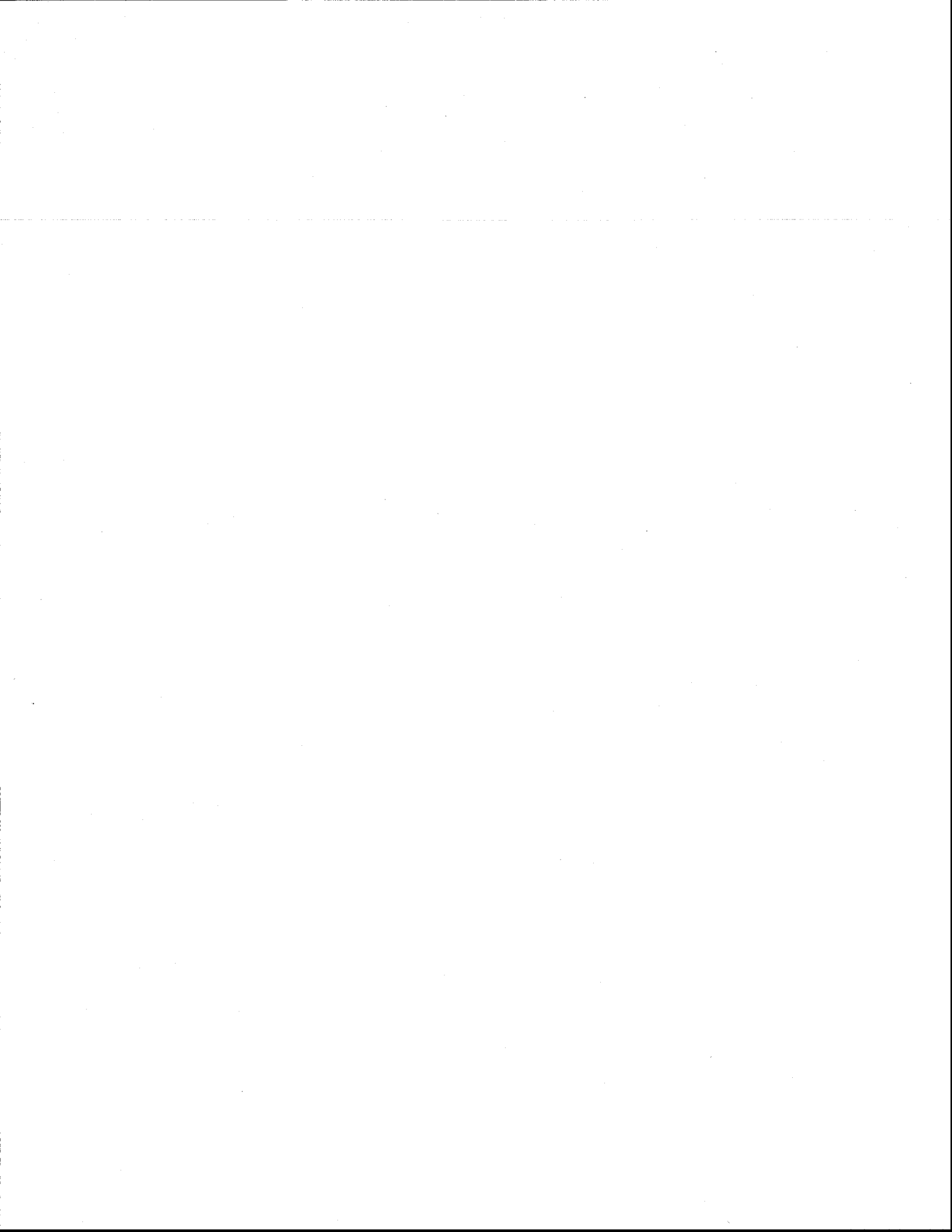
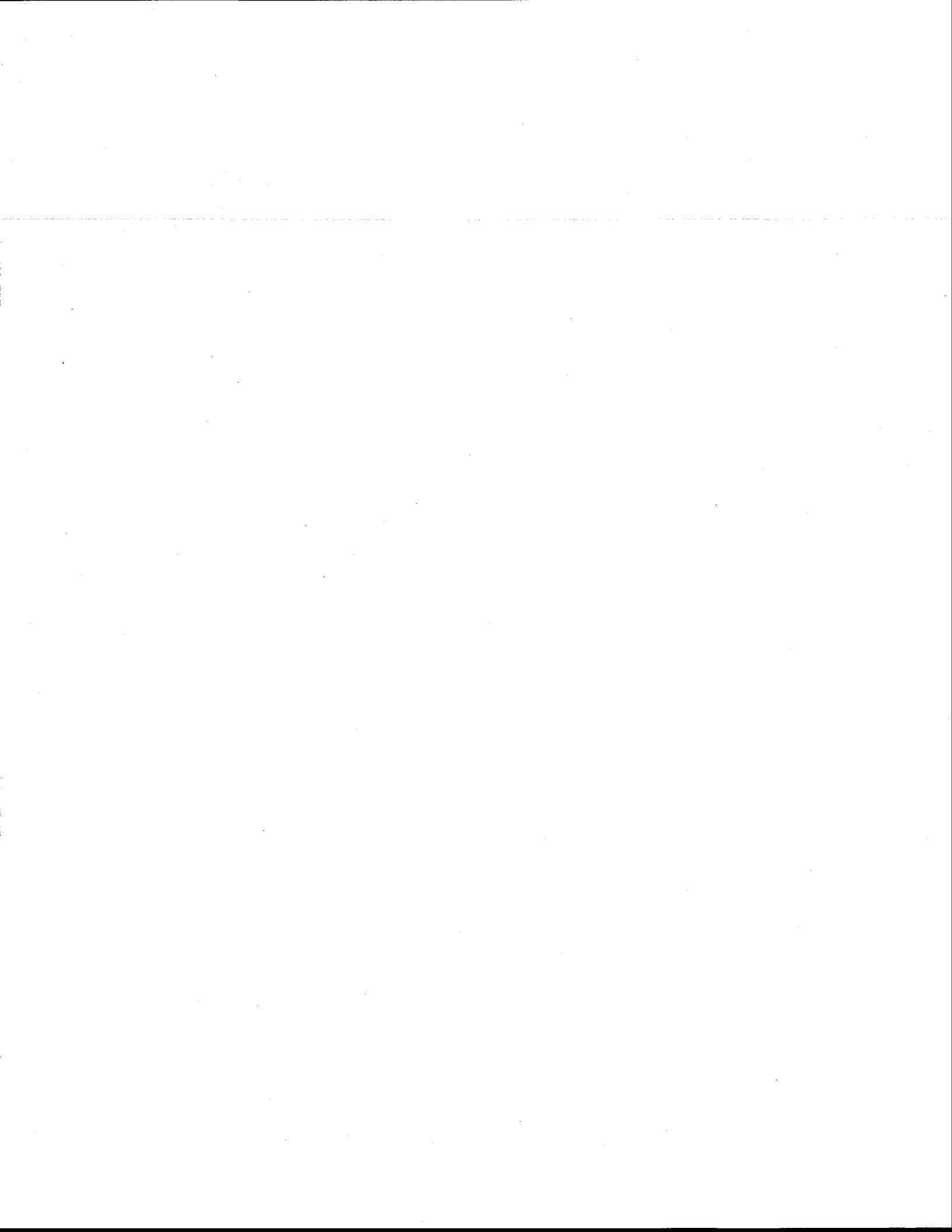


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INTRODUCTION

History of the Commission

The agriculture and forestry industries have always played an essential and vital role in supporting both the rural and urban populations of North Carolina. Over the past decade, all of these industries have experienced severe financial setbacks and instability due to inclement weather, pollution problems, inflation, reduction in foreign exports, and other unavoidable circumstances. In order to insure that the agriculture, forestry, and seafood industries maintained their ability to produce for future needs, the 1983 General Assembly enacted HB 1169 (Chapter 914, 1983 Session Laws) which created the Agriculture, Forestry, and Seafood Awareness Study Commission. The Commission was successful from 1983 through 1985 in making findings and recommendations for the industries of agriculture, forestry, and seafood. Based on this success, the 1985 General Assembly permanently established the Agriculture, Forestry, and Seafood Awareness Study Commission in the law (Chapter 792, 1985 Session Laws) so it could continue to study these three industries. In 1989, the General Assembly established the permanent Joint Legislative Commission on Seafood and Aquaculture in the law (Chapter 802, 1989 Session Laws) to concentrate on the State's production, processing, and marketing of seafood. With the creation of the Commission on Seafood and Aquaculture, the Agriculture, Forestry, and Seafood Awareness Study Commission began to focus more specifically on the needs of agriculture and forestry industries. Recognizing this change, the 1991 General Assembly, during the Regular Session 1992, passed legislation effective January 1, 1993 removing seafood from both the title and scope of study of the Commission.

Commission's Charge

G.S. 120-154 authorizes the Agriculture and Forestry Awareness Study Commission to:

- * Study the influence of agriculture and forestry on the economy of the State.
- * Develop alternatives for increasing the public awareness of these industries.
- * Study the present status of agriculture and forestry.
- * Identify problems limiting the future growth and development of these industries.
- * Develop an awareness of the importance of science and technological development to the future of these industries.
- * Formulate plans for new State initiatives and support for agriculture and forestry, and for the expansion of opportunities in these industries.

These duties form the foundation of Agriculture and Forestry Awareness Study Commission's review of these industries and serve as a basis for its final recommendations.

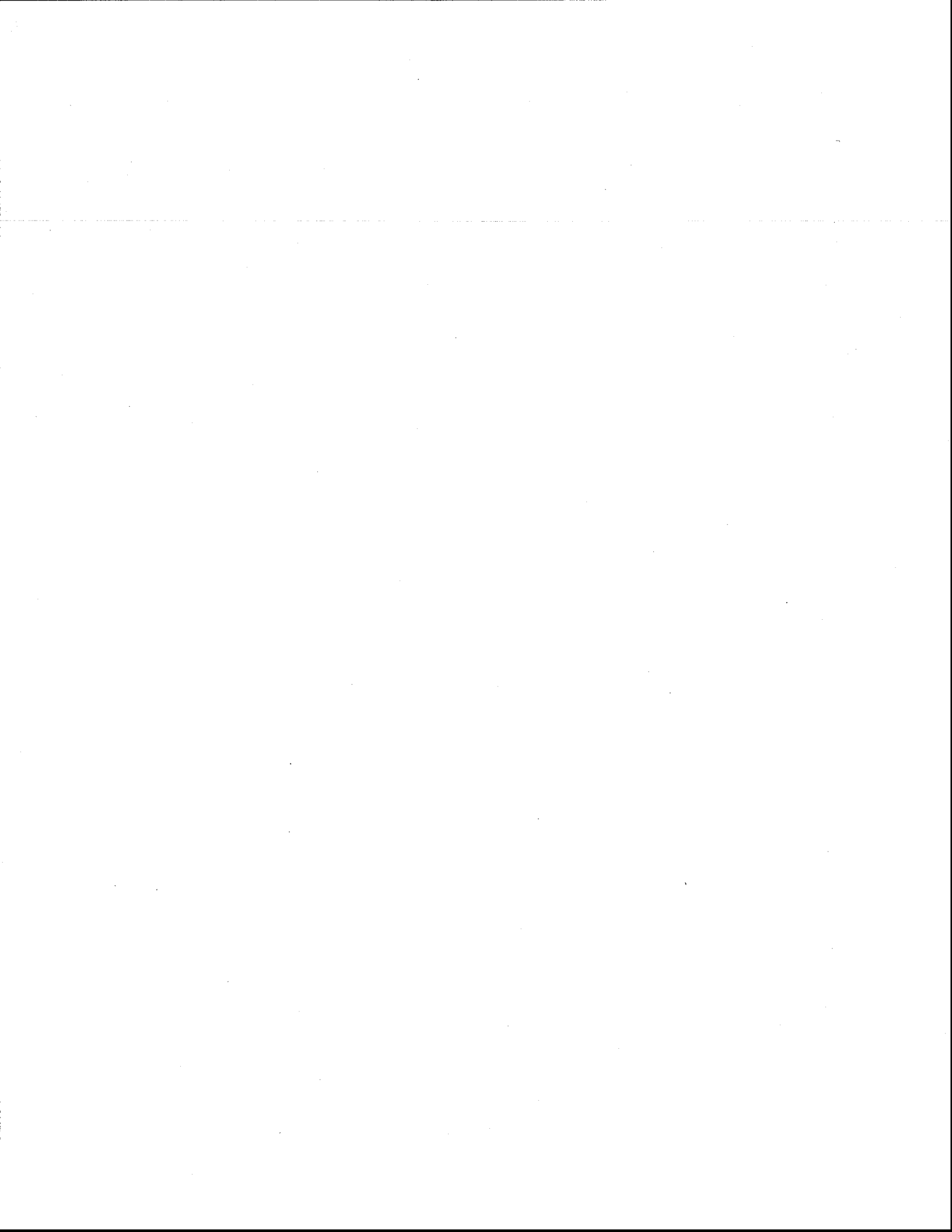
Commission's Membership

The membership of the Commission includes citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. The Governor, the Lieutenant Governor, and the Speaker of the House of Representatives, each appoint three members to this 17 member commission. The following individuals also serve on the Commission:

- * The Chair of the House Agriculture Committee.
- * The Chair of the Senate Committee on Agriculture, Marine Resources, and Wildlife.
- * The Commissioner of Agriculture, or his designee.
- * A member of the Board of Agriculture.
- * The President of the N.C. Farm Bureau, or his designee.
- * The Master of the State Grange, or his designee.
- * The Secretary to the Department of Environment, Health, and Natural Resources, or his designee.

* The President of the North Carolina Forestry Association, Inc., or his designee.

The Chair of the House Agriculture Committee and the Chair of the Senate Agriculture Committee serve as co-chairs of the Agriculture and Forestry Awareness Study Commission.



COMMITTEE PROCEEDINGS

The Agriculture and Forestry Awareness Study Commission met five times from November 1995 through April 1996. The Commission covered a diverse range of topics including agricultural and forestry biotechnology, the professional qualifications for registered foresters, pine straw theft, the fiscal needs of the College of Agriculture and Life Sciences and the College of Forestry at North Carolina State University, and mandatory, non binding arbitration of defective seed claims.

November 2, 1995

The first meeting of the Commission was held in Raleigh, North Carolina on November 2, 1995. Dr. Lou Tornatzky, Director of the Southern Technology Center made a presentation on the potential for alternative tobacco-based products obtainable through biotechnology. Tobacco, apparently, is one of the easiest plants to manipulate genetically. Known as the "white rat" of plant-based biotechnology, it can be grown to express up to 2% of its protein as a selected substance. These substances include expensive industrial chemicals, pharmaceuticals, emulsifiers, antibacteriological products, and various enzymes. The biotechnology market is expanding rapidly and it is expected that the plant based biotech product market will grow to \$10 billion by the turn of the century.

North Carolina is in a unique position to capitalize on this market potential. Researchers at North Carolina State University have developed technologies for producing tobacco plants for proteins and processing and extracting the valuable proteins from the plants. There is not, however, any specific funding available to support this research or any coordinated effort to provide for the commercialization of the research product.

Dr. Ray Long, Professor of Crop Science at North Carolina State University addressed the Commission about his research on the production of biotechnology products from tobacco. He noted that tobacco is an excellent plant for bioprocessing and the isolation of proteins and other

biotechnology products. Further, North Carolina State University has one of the best corps of tobacco biotechnologists, plant geneticists, chemists, and agronomists in the world. Dr. Long discussed the products currently being processed from the tobacco plant and described his research in the area of field production of tobacco for bioprocessing and processing technology.

The Commission asked the Southern Technology Council to develop a plan of action and estimates of funding necessary to develop their proposal for a program to develop and commercialize tobacco based biotech products.

December 7, 1995

The December 7 meeting opened with presentations on the draft report of the Governors Task Force on Forest Sustainability. Dr. Arthur Cooper, Professor of Forestry at North Carolina State University and Chairman of the Task Force made the first presentation.

Dr. Cooper noted that forestry is very important to the State's economy, second only to the textile industry. Changes in public policy, population growth, the urbanization of rural forested land, fragmentation of forest ownership, globalization of markets for wood, and changes in public attitudes and understanding of forestry have created significant challenges to insuring that North Carolina's forest resources are sustained for future generations.

Mr. Fred White, Division of Forest Resources, North Carolina Department of Environment, Health, and Natural Resources, provided the Commission with an overview of the status of the State's forests as of the last inventory in 1990. According to Mr. White, 30 to 40% of the State's forestland is located either in areas that are not readily harvestable or in rapidly urbanizing countryside and is unlikely to be available to supply timber to the forest products industry.

The Governor's Task Force will make a number of specific recommendations. These will address issues of forest protection and forest production. They will include items such as best management practices, disease, protection of wildlife species, forest fragmentation, incentives and technical assistance for proper manage forested land, mandatory regeneration, nursery production; and continuation of the work of the Task Force. Education and research efforts should be increased and the U.S. Forest Service forest inventory should be accelerated

from a 10 to a 5 year cycle.

Next, the Commission resumed its discussion from the November 2 meeting of the proposal for a North Carolina biotechnology initiative. Dr. Lou Tornatzky presented a plan of action spanning 5 years to foster economic opportunities through tobacco biotechnology and bioprocessing. The program would use the existing research and development capacity at North Carolina State University and State's tobacco farming infrastructure. As proposed, the plan called for a total appropriation of \$29.5 million dollars over a five year period and included program administration by the N.C. Alliance for Competitive Technologies, a Bioprocessing Research and Demonstration Program, an Industry Matching Grant Applied Research Fund, Basic Science Fund, N.C. Plant Biotechnology Seed Fund, and a Biotechnology Incubator. After some discussion, the Commission determined that further information would be necessary in order to recommend an appropriation to the General Assembly.

February 27, 1996

The Commission resumed its deliberations on February 27, 1996. At this meeting the Commission addressed a variety of topics including the funding needs for agriculture programs at North Carolina State University, registration requirements for foresters and mandatory, non binding arbitration for defective seed claims.

Representative John Weatherly presented a proposal to enhance the statutory requirements for becoming a registered forester. This issue was considered by the Legislative Committee on New Licensing Boards, however foresters are seeking an additional endorsement from this Commission. Harold Blanchard, with the North Carolina Society of American Foresters outlined the history of the existing forester registration laws and the new requirements proposed to entitle a person to hold themselves out to be a registered forester. The law has been in existence since 1975. The amendments would expand the law to require a person wishing to hold themselves out as a "forester" to meet the criteria for registration. It would also establish continuing education requirements for the profession.

Following Mr. Blanchard were several presentations by persons engaged in the practice of

Urban Forestry who were concerned that the bill did not adequately address their specialized area of practice. They spoke with the Commission about the distinction between the practice of rural versus urban forestry and of the differing backgrounds urban foresters bring to their profession. Traditional forestry is concerned with land management of trees for wood products. In urban forestry, trees are managed for the physiological, sociological, and economic well being of the urban society. The urban forestry representatives would like to see an Urban Forester designation in the law and have the qualifying exams reflect their specialized training and qualifications. The Commission requested that the interested parties meet with the Commission staff to revise the bill and present a revised edition at the next Commission meeting.

The next speaker on the agenda was June Brotherton, Assistant to the Chancellor at North Carolina State University. Ms. Brotherton presented the University's budget proposals for the short session. The University is supporting the Governor's proposals for a 5% pay increase for all EPA and SPA campus employees and an additional 2% for teaching faculty. They also concur with his recommendations on academic programs, and funds for equipment, materials, and expanded teaching facilities. The University is also seeking a reduction in the 2% reversion rate to the General Fund as well as a reduction in the 10% retention rate for overhead receipts. Expansion of student access to health insurance and tuition remission would assist in attracting quality students to graduate programs.

Ms. Brotherton also spoke about the University's capital project priorities. These include a continuation of the repair and renovation fund. Over 20% of the buildings at NCSU are more than 50 years old. Specific priorities include \$7 million for renovation of Nelson Hall, \$3 million for construction of a Research and Teaching Feed Mill, \$2 million for Undergraduate Science Teaching laboratories, and \$10 million for the Clark Laboratory renovation and addition.

John Ort, Associate Dean and Director of the N.C. Cooperative Extension Service also spoke to the Commission. He informed the Commission of the broad scope of extension services and noted that additional resources were necessary to respond to the many needs that Extension answers in North Carolina communities. Dr. Johnny Wynne, Associate Dean and

Director of the North Carolina Agricultural Research Service spoke next about the mission of the Research Service and its contribution to the well being of the citizens of the State. The Commission agreed unanimously to endorse the University's request for funding in the 1996 session of the General Assembly.

The final item on the February 27 agenda was a proposal for mandatory, nonbinding arbitration of defective seed claims. Lawrence Davenport, President of the North Carolina Seedsmen's Association made the presentation to the Commission. The proposed legislation would address the Seedsmen's Association's concerns about increasing legal costs and delays in resolution. The bill would require a farmer to initiate arbitration proceedings by filing a claim with the Commissioner of Agriculture within 10 days of determining that the seeds were not performing as expected. The seedsman would be protected in that he would be alerted to a problem in time for the seedsman and the arbitration council to evaluate the crop. If the grower were not satisfied with the results of arbitration, he could file a court action after receipt of the report of arbitration. The Commission discussed the proposal and asked that Commission Counsel redraft the proposal addressing their concerns regarding the rights of the grower.

March 27, 1996

Three presentations were made at the March 27 Commission meeting. Dean Larry Tombaugh addressed the Commission on the needs of the NCSU College of Forest Resources, Lawrence Davenport returned to further discuss the legislative proposal on defective seed claims, and several members of the N.C. Pine Needle Producers Association presented proposed legislation dealing with the problem of pine straw theft.

Dean Tombaugh was the first presenter. He reviewed the forestry program at NCSU pointing out that it was one of the premier forestry schools in the country. The faculty boasts of two members who are members of the prestigious National Academy of Sciences. No other forestry school in the country has a member of the Academy on its faculty. Enrollment in the College has increased more rapidly than any other department within the University, up 42% from 1989 through 1995. In addition to its teaching mission, the College also has active research and extension programs. Its research faculty actually attracts more money than is

appropriated by the General Assembly. The College of Forest Resources, however, has two pressing needs. The first is money for salaries. While the College has the best faculty in the nation, it has taken years to develop. Unless salaries keep up with the national trends, the College may begin to lose faculty members. Forest biotechnology is another area of critical funding need. A total of \$2.5 million is being requested for the College in the 1996 budget proposals. An additional element of funding would be for tourism development in the amount of \$110,000. The Commission voted to endorse the College of Forest Resources fiscal requests.

The next item on the agenda was the issue of pine straw theft. Members from the N.C. Pine Needle Producers Association requested assistance from the General Assembly in strengthening the trespass and larceny laws to discourage persons from stealing pine straw. According to the Cooperative Extension Service, pine straw sales generate approximately \$50 million dollars a year. Much income, however, is lost to thieves who go on private property, rake the straw and load it on a pickup truck and haul it to a local baler. Prosecution of this type of theft is difficult. The legislation proposed would add a new section to G.S. 14-159.6, Trespassing upon "Posted" Property, providing that it is a misdemeanor to willfully go on the land of another that has been posted to prohibit the raking or removing of pine straw. The bill also adds a new section to the larceny statutes making the larceny of pine straw a Class H felony. The Commission voted to recommend the bill to the 1996 General Assembly.

The last item on the agenda for this meeting was the continuation of the discussion on mandatory arbitration of defective seed claims. The Committee discussed an alternate proposal that would require a farmer to file a claim while there was still time to conduct an investigation. They also discussed the fact that the General Statutes already provide for voluntary arbitration of defective seed disputes. No further action was taken at the meeting on the proposal.

April 29, 1996

The Commission held its final meeting before the start of the 1996 Regular Session on April 26, 1996. Members of the Commission affirmed their support for North Carolina State University's funding priorities for the 1996 session, especially the line for agricultural

programs. Stan Adams, Director of the Division of Forest Resources then gave an overview of the Division's many programs. The Division has approximately 675 permanent employees and 200 seasonal employees and operates on a budget of \$39 million annually. All but 50 employees are located outside of Raleigh. Two of the Division initiatives were of special interest to the Commission; the Young Offenders Forest Conservation Program and efforts to obtain three CL-215 airtankers, a water scooping airplane with an onboard foam injection system.

The Young Offenders Forest conservation Program is a cooperative effort with the Division of Prisons to train and utilize nonviolent young inmates. The Program was first established in Burke county with 18 inmates ranging from 18 to 21 years of age. The inmates underwent an intensive training program in mountain fire control. The program in Burke County was originally intended to be temporary, but was so successful that the Burke County Commissioners requested its continuation. That camp now accommodate 50 inmates. The first permanent camp was opened in Avery County in 1990. Construction of the camp was completed by the inmates with guidance from the Division and contractors. The program has trained over 1,200 persons to date and has proved itself a success in supplying fire fighting forces, rehabilitating inmates and has saved the Division many thousands of dollars. Additional counties have requested the opening of such camps, however, funding has limited the growth of the program.

Efforts have been underway for several years to try to obtain funding for the purchase of several CL-215 airtankers. These planes are able to scoop large amounts of water from the surface of local rivers and lakes to drop on fires. They are one of the most effective aerial fire fighting tools available. The Division had the opportunity to use these tankers under a five year lease after Hurricane Hugo. The airtankers were not available to the Division in 1995, however, due to budget reductions.

The last item on the agenda was the review of the draft report. The Commission accepted the draft report and made three additional recommendations. These included the Commission's endorsement of the Young Offenders Forest Conservation Program, a general

endorsement of the Division of Forest Resources programs, and the recommendation that House Bill 165, sponsored by Representative John Brown, providing for the purchase of the CL-215 airtanker be enacted by the General Assembly.

FINDINGS AND RECOMMENDATIONS

1. The Commission endorses the capital appropriations requests for North Carolina State University, as well as the salary proposals for the University system and the modifications to the retention and reversion rates,, contained in the Governor's proposed budget for The University of North Carolina. (See Appendix D). The Commission recommends that the General Assembly fully fund the requested appropriations especially:

- A 5% salary increase for EPA and SPA personnel with an additional 2% increase for teaching faculty.
- Expansion of graduate student access to health insurance and tuition remission as a means of attracting the highest caliber graduate students.
- Reductions in the reversion rate and the retention of overhead receipts.
- North Carolina State University's 1996 Capital Project Priorities.
- The North Carolina State University Agricultural Programs Line.

2. The Commission finds that the College of Forest Resources at North Carolina State University is one of the finest in the nation and has the fastest growing program at NCSU. The College boasts of an outstanding faculty with the ability to attract research funding far in excess of that appropriated. It is a leader in the area of forest biotechnology. The Commission recommends that the General Assembly fully fund the appropriations request for the College of \$2.5 million dollars for faculty salary increases and expansion of the forest biotechnology programs. In addition \$110,000 should be funded for the expansion of the travel and tourism program that will target rural areas of the State.

3. The Commission finds that a majority of the forest resources of the State are held by private landowners. The mismanagement of this resource has the potential for substantial harm

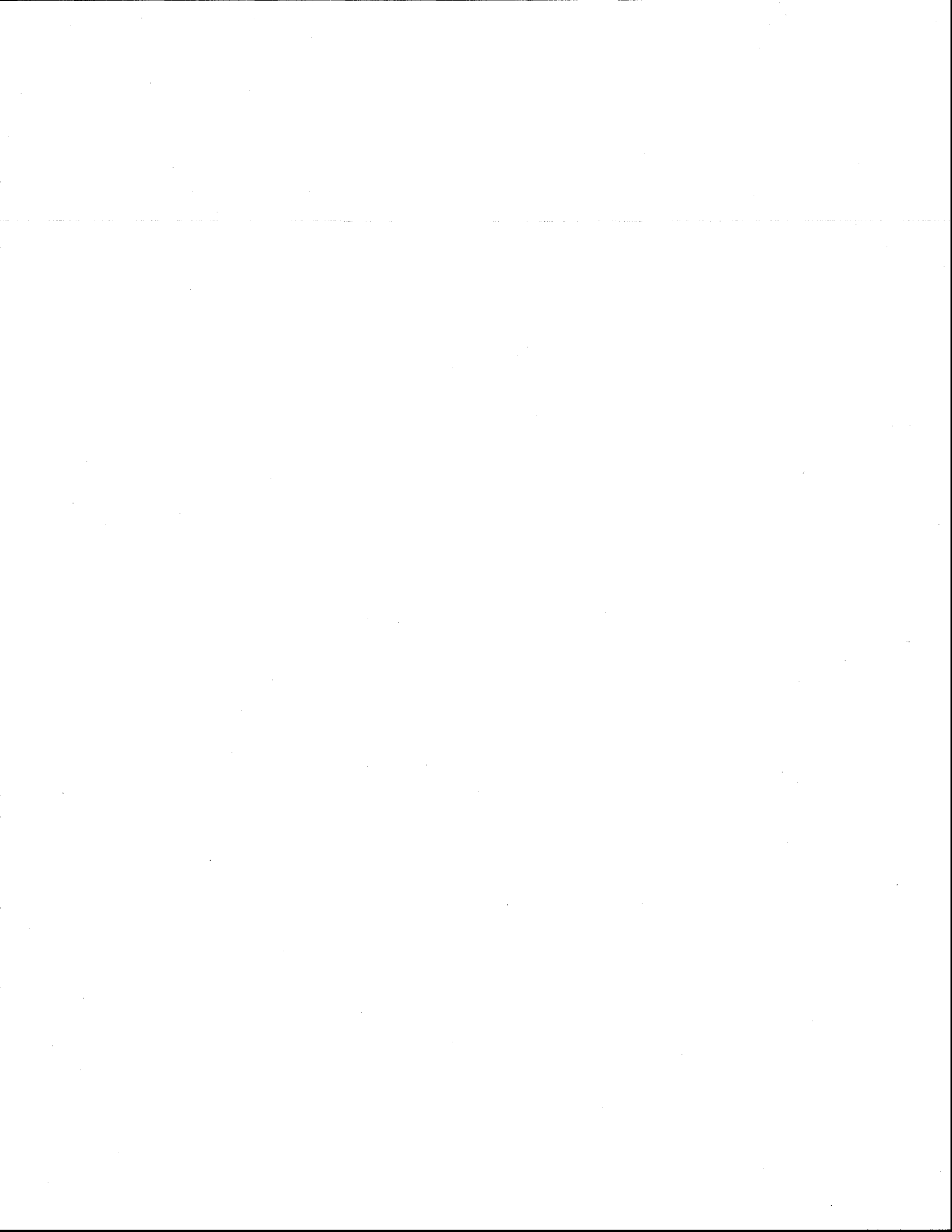
including a loss in value for the landowner and environmental damage, such as loss of wildlife habitat, sedimentation pollution of surface waters, and misapplication of pesticides. It is in the public interest to require that those holding themselves out to be "Foresters" should meet minimum qualifications of education and experience and be registered. This can be done by amending existing laws providing that an individual must be registered in order to use the designation "Registered Forester". The Legislative Committee on New Licensing Boards is recommending to the General Assembly the enactment of amendments to the law that will establish minimum criteria for registration of foresters. This Commission endorses the recommendations of the Legislative Committee on New Licensing Boards and recommends that the General Assembly enact **A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS.**

4. The Commission finds that pine needle producers suffer serious economic loss each year due to the theft of pine straw from production areas. Existing laws make it difficult to prosecute those involved with the theft. Persons must be apprehended in the act. The fungibility of the product is such that once removed from the production area, its source and ownership cannot be determined. Further, under existing law, there is no way law enforcement officials can determine whether individuals seen collecting pine straw are doing so legitimately. Legislation is needed that would make trespass on posted pine needle production land without written permission a misdemeanor and would make larceny of pine straw a Class H felony. The Commission therefore, recommends that the General Assembly enact **A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW.** (See Appendix C).

5. The Commission recognizes the tremendous service provided to the people of the State by the Division of Forest Resources and supports their program funding requests through the Department of Environment, Health, and Natural Resources. The Commission recommends

the adoption of those appropriations items in the EHNR budget for the Division in the 1996 short session in order to protect and promote the forest resources of North Carolina. The Commission supports expansion and enhancement of all of the Division's programs, but most notably the Young Offenders Forest Conservation Program.

6. The Commission finds that the CL-215 airtanker is an essential firefighting tool much needed in this State. Acquisition of these planes would significantly reduce the loss of valuable timber and homes. The Commission therefore recommends that the General Assembly enact House Bill 165, Forest Fire Aircraft Funds, introduced by Representative John Brown during the 1995 Session, which would fund the purchase of forest fire fighting equipment including three airtankers. (See Appendix E).



APPENDIX A

STATUTORY AUTHORITY OF THE COMMISSION

ARTICLE 19.

Commission on Agriculture, Forestry, and Seafood Awareness.

§ 120-150. (Applicable until January 1, 1997) Creation; appointment of members.

There is created an Agriculture and Forestry Awareness Study Commission. Members of the Commission shall be citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. Members shall be as follows:

- (1) Three appointed by the Governor;
- (2) Three appointed by the President of the Senate;
- (3) Three appointed by the Speaker of the House;
- (4) The chairman of the House Agriculture Committee;
- (5) The chairman of the Senate Agriculture Committee;
- (6) The Commissioner of Agriculture or his designee;
- (7) A member of the Board of Agriculture designated by the chairman of the Board of Agriculture;
- (8) The President of the North Carolina Farm Bureau Federation, Inc., or his designee;
- (9) The Master of the North Carolina State Grange or his designee;
- (10) The Secretary of the Department of Environment, Health, and Natural Resources or his designee; and
- (11) The President of the North Carolina Forestry Association, Inc., or his designee.

Members shall be appointed for two-year terms beginning October 1 of each odd-numbered year. The cochairmen of the Commission shall be the chairmen of the Senate and House Agriculture Committees respectively. (1985, c. 792, s. 20.1; 1989, c. 727, s. 218(81); 1989 (Reg. Sess., 1990), c. 1004, s. 19(b); 1991 (Reg. Sess., 1992), c. 785, s. 1; 1993, c. 23.)

§ 120-150. (V2) (Applicable January 1, 1997) Creation; appointment of members.

There is created an Agriculture and Forestry Awareness Study Commission. Members of the Commission shall be citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. Members shall be as follows:

- (1) Three appointed by the Governor;
- (2) Three appointed by the President Pro Tempore of the Senate;
- (3) Three appointed by the Speaker of the House;
- (4) The chairman of the House Agriculture Committee;
- (5) The chairman of the Senate Agriculture Committee;
- (6) The Commissioner of Agriculture or his designee;
- (7) A member of the Board of Agriculture designated by the chairman of the Board of Agriculture;
- (8) The President of the North Carolina Farm Bureau Federation, Inc., or his designee;

(9) The Master of the North Carolina State Grange or his designee;

(10) The Secretary of the Department of Environment, Health, and Natural Resources or his designee; and

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§ 120-151. Advisory Committee.

Upon proper motion and by a vote of a majority of the members present, the Commission may appoint an Advisory Committee. Members of the Advisory Committee should be from the various organizations, commodity groups, associations, and councils representing agriculture and forestry. The purpose of the Advisory Committee shall be to render technical advice and assistance to the Commission. The Advisory Committee shall consist of no more than 20 members plus a chairman who shall be appointed by the cochairmen of the Commission. (1985, c. 792, s. 20.1; 1991 (Reg. Sess., 1992), c. 785, s. 2.)

§120-152. Subsistence and travel expenses.

The members of the Commission who are members of the General Assembly shall receive subsistence and travel allowances at the rate set forth in G.S. 120-3.1. Members who are officials or employees of the State of North Carolina shall receive subsistence and travel allowances at the rate set forth in G.S. 138-6. All other members plus the Chairman of the Advisory Committee shall be paid the per diem allowances at the rates set forth in G.S. 138-5. Other members of the Advisory Committee shall serve on a voluntary basis and not receive subsistence and travel expenses. (1985, c. 792, s. 20.1.)

§120-153. Facilities and staff.

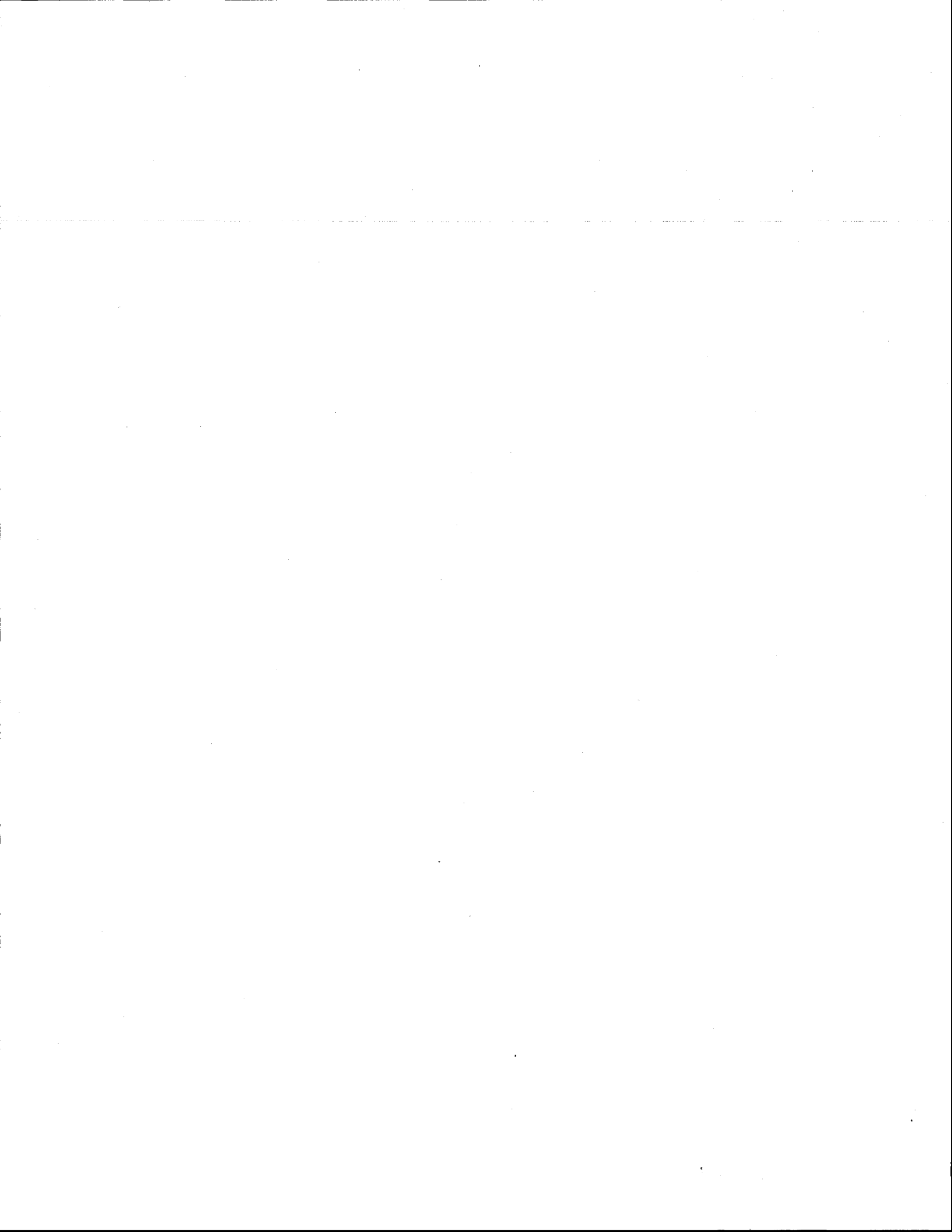
The Commission may hold its meetings in the State Legislative Building with the approval of the Legislative Services Commission. The Legislative Services Commission shall provide necessary professional and clerical assistance to the Commission. (1985, c. 792, s. 20.1.)

§ 120-154. Duties.

The Commission shall bring to the attention of the General Assembly the influence of agriculture and forestry on the economy of the State, develop alternatives for increasing the public awareness of agriculture and forestry, study the present status of agriculture and forestry, identify problems limiting future growth and development of the industry, develop an awareness of the importance of science and technological development to the future of agriculture and forestry industries, and formulate plans for new State initiatives and support for agriculture and forestry and for the expansion of opportunities in these sectors.

In conducting its study the Commission may hold public hearings and meetings across the State.

The Commission shall report to the General Assembly at least one month prior to the first regular session of each General Assembly.



Appendix B
AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION
MEMBERSHIP
1995-1996

House Agriculture Committee Chair

Representative John W. Brown
2297 Austin Trap Hill Road
Elkin, NC 28621
910-835-2373

Speaker's Appointments

Representative Arlie F. Culp
8521 U.S. Highway 64 East
Ramseur, NC 27316
910-824-2218

Mr. W. M. Lewis
P.O. Box 330
West Jefferson, NC 28694

Representative John Weatherly
142 Quail Hollow Drive
Kings Mountain, NC 28086
704-487-0039

Senate Agriculture Committee Chair

Senator Charles W. Albertson
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Lt. Governor's Appointments

Mr. Vernon James
Route 4, Box 251
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919-449-4981

Senator James Speed
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Louisburg, NC 27549
919-853-2167

Governor's Appointments

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919-733-4984

Mr. Robert W. Slocum, Jr.
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919-834-3943

Mr. Julian Philpott
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Raleigh, NC 27611
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1328 Kings Grant Drive
Raleigh, NC 27614
(919) 847-3789

APPENDIX C

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

D

96-RFZ-002*

THIS IS A DRAFT 10-MAY-96 10:36:53

Short Title: Trespass/Theft of Pine Straw.

(Public)

Sponsors: Representative Brown
Senator Albertson

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW
3 PRODUCTION LAND AND LARCENY OF PINE STRAW.
4 The General Assembly of North Carolina enacts:
5 Section 1. The title of Article 22A of Chapter 14 of
6 the General Statutes is rewritten to read:
7 Article 22A
8 Trespassing upon "Posted" Property to Hunt,
9 Fish or ~~Trap~~ or Remove Pine Needles/Straw.
10 Sec. 2. G.S. 14-159.6 is rewritten to read:
11 § 14-159.6. Trespass for purposes of hunting, etc., without
12 written consent a misdemeanor.
13 (a) Any person who willfully goes on the land, waters, ponds,
14 or a legally established waterfowl blind of another upon which
15 notices, signs or posters, described in G.S. 14-159.7,
16 prohibiting hunting, fishing or trapping, or upon which "posted"
17 notices have been placed, to hunt, fish or trap without the
18 written consent of the owner or his agent shall be guilty of a
19 Class 2 misdemeanor. Provided, further, that no arrests under
20 authority of this section shall be made without the consent of

1 the owner or owners of said land, or their duly authorized agents
2 in the following counties: Halifax and Warren.

3 (b) Any person who willfully goes on the land of another upon
4 which notices, signs or posters, described in G.S. 14-159.7,
5 prohibiting raking and/or removing pine needle/straw, or upon
6 which "posted" notices have been placed, without the written
7 consent of the owner or his agent shall be guilty of a Class 1
8 misdemeanor for the first offense, and of a Class I felony for
9 second or subsequent offenses.

10 Sec. 3. Article 16 of Chapter 14 of the General Statutes
11 is amended by adding a new section to read:

12 §14-79.1 Larceny of pine straw.

13 If any person shall take and carry away, or shall aid in taking
14 or carrying away any pine needles/straw being produced on the
15 land of another person with the intent to steal the pine
16 needles/straw, that person shall be guilty of a Class H felony.

17 Sec. 4. This act shall become effective December 1,
18 1996.

NC State University

1996 Short Session Capital Projects Priorities

The UNC Constituent Universities:

NC State University supports The UNC General Administration's request to continue the repair and renovation fund. This general appropriation assures regular upkeep and repair of existing facilities. Twenty-one percent of the buildings at NC State are 50 or more years old, with a total projected renovation cost of \$83 million. Monies would ensure that these buildings can be updated, renovated and maintained properly over time.

NC State University:

1. Nelson Hall Renovations \$7 mil.

Funds will be used to convert the old College of Textiles building – with its high ceilings, open expanses and wood floors built for operation of textile machinery – to classrooms, computer laboratories and faculty offices for the new College of Management.

2. Research & Teaching Feed Mill Construction \$3 mil.

This research and teaching facility would offer faculty from the College of Agriculture and Life Sciences opportunities to conduct research in feed formulation and storage, and enable Agricultural Institute and four-year degree students to gain hands-on experience in state-of-the-art, computerized feed mill management.

3. Engineering Graduate Research Center Equipment/Distance Educ. \$1.7 mil.

The funds would equip the EGRC, fund the purchase and installation of state-of-the-art distance technology, and pay a licensing

agreement with the National Technological University (NTU). This license would allow selected NC State, NCA&T, UNCC and NTU engineering course offerings to be transmitted to community colleges and selected sites, expanding access to engineering education statewide.

4. Undergraduate Sci. Teaching Laboratories Planning \$2 mil.

Half of the student population at NC State, or over 15,000 students, take one or more science courses — chemistry, physics, biochemistry and the like. The rapid growth of the student body has forced science classes and laboratories to spread into facilities which are outdated technologically. Monies will be used to plan construction of a state-of-the-art classroom and laboratory building.

5. Clark Laboratory Renov. & Planning for Addn. \$5.6 mil. Addition \$4.4 mil.

Clark Laboratory is an old textile chemistry building which is badly in need of renovation and construction of an addition. Once completed, the Department of Zoology faculty will move into Clark Laboratories, allowing the biotechnology faculty to be consolidated in the space vacated in Gardner Hall.

For additional information, contact:

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1996 Short Session Change Budget Priorities

The UNC Constituent Universities:

1. Salary Increases. The UNC universities are in a bidding war for quality faculty with peer institutions such as Cornell, Ohio State, Penn State and Georgia Tech. Our best faculty are being lured away by salary and benefits packages ranging from 20 to 40 percent over current salaries and benefits.

NC State supports the Board of Governors' recommendation for a 5% salary increase for all UNC EPA campus employees and a 2% additional salary increase for teaching faculty. Also, the university supports Governor Hunt's recommendations on academic enhancements, to include a faculty salary increase, and monies for equipment and materials and expanded facilities.

The proposed salary increase package for faculty will not solve NC State's salary competitiveness problem. If passed, however, it will demonstrate to potential and current faculty the collective will of the state's people to stem the flow of talented teachers, scientists and scholars from the state's public universities.

In addition, although The UNC Board of Governors has no authority over SPA salary issues, the Board supports strong attention to SPA salary increases. NC State is experiencing difficulty in attracting and retaining quality SPA staff, particularly when across-the-board salary increases reward all workers equally, regardless of merit. NC State urges the legislature to implement SPA merit pay.

2. Reduce Reversion Rate. Reducing the current reversion rate of 2% to zero

increases the resources available to NC State without any increase in appropriated dollars. It also allows the university to invest in research and technology transfer related to economic development.

3. Reduce Overhead Receipts Retained. Ten percent of overhead receipts are currently retained by the state. If returned to NC State, the monies would be pooled to provide matching funds for federal grants and to maintain and improve a rapidly deteriorating research infrastructure.

4. Attract and Retain High Quality Graduate Students. Expanding graduate student access to health insurance and providing tuition remission will assist NC State in attracting and retaining graduate students as highly skilled knowledge workers.



NC State University Academic Programs Priorities:

1. Accreditation & New Pgms. \$1.6 mil.

The College of Management needs additional tenure-track faculty to gain accreditation for the College of Management and to offer a new program in technology management. The College of Humanities and Social Sciences needs additional tenure-track faculty to meet criteria for university accreditation by the Southern Association of Colleges and Schools (SACS), and to teach additional foreign language classes due to an increase in the foreign language requirement in the university's new core curriculum.

**Engineering Graduate Research Center
Initiatives** **\$1.6 mil. total**

2. EGRC Support/Dist. Educ. \$500,000

Monies are requested to operate the Engineering Graduate Research Center and to provide operating support to distance education activities associated with National Technology University (NTU) course offerings through a licensing agreement with NC State. These funds would create a series of manufacturing partnerships through the Industrial Extension Service in three regions.

3. Materials Initiative \$200,000

Micro-electro-mechanical systems (MEMS) research will lead to the development of miniature sensors, activators, medicine delivery systems and electrical components. Due to progress already made in this area, our state received a \$5 million federal Technology Reinvestment Program grant to develop MEMS prototype devices, working primarily through NC State, MCNC and industrial partners. Monies requested would fund chemistry and physics faculty positions needed to initiate new programs in MEMS.

4. Institute of Construction \$500,000

To remain competitive in the construction industry, NC State must enhance its ability to focus on and develop materials, systems, and process research and training activities to meet construction industry and regulatory agency needs, while helping the industry maintain quality and safety at optimum life-cycle cost. Funds will be used to develop a construction research program which will keep the industry ahead technologically.

5. Polymer Sci. & Engineering \$400,000

The polymer industry in North Carolina is composed of small-to-medium-sized firms that have a continuing need for skilled polymer engineers. Funds requested would establish an interdisciplinary undergraduate minor program, a five-year master of engineering program, and a laboratory for teaching and demonstrations. A master's program in Mechatronics — the merging of mechanical engineering and electronics — is also proposed. Mechatronics is instrumental in developing consumer products such as VCRs, computers, and robots. Programs like these are essential if North Carolina is to compete nationally and internationally in high-technology areas.

6. Telecommunications/Multimedia \$3 mil.

Expert faculty will conduct research on new learning technologies and develop learning resources for use by public school teachers. They will also instruct teachers statewide in developing multimedia learning environments, and closer working relationships will be forged between NC State scientists and the citizens they serve through other outreach/extension activities.

7. Biotechnology Initiative \$2.5 mil.

NC State is a national leader in plant and animal molecular genetics and biotechnology. The state's thriving agribusiness and pharmaceuticals industries increasingly depend on biotechnology to progress. The funds requested will allow expansion of the teaching of concepts and application of biotechnology to students, purchase of highly specialized equipment for biotechnology teaching and research, and

transfer of research findings into practical applications for North Carolina industries

8. Environmental Programs \$1.2 mil.

Over 400 NC State faculty members are involved in environmental teaching, research and outreach/extension and comprise the largest and most diverse academic environmental program in the Southeast. The monies requested would expand administrative support needed to integrate, facilitate and coordinate NC State's environmental programs; increase support of undergraduate and graduate environmental educational and research programs; and purchase state-of-the-art environmental teaching and research equipment.

9. NC Center for Design \$250,000

Funds requested for this center would expand the outreach/extension of design faculty expertise to industries, local governments and public schools, to include product design and manufacturing, the relationship between architecture and the natural environment, and issues related to rapid growth of the region. Additionally, monies would be used to create an Advanced Technologies Textile Design Facility, giving the textile industry and textile students access to an advanced technology center and making them more competitive in the Quick and Responsive Agile Manufacturing Systems in today's marketplace.

10. Infrastructure Support \$1.8 mil.

Funds requested will: 1) automate student financial aid applications and academic processes and upgrade the an overloaded local area network (LAN) for university administration; 2) add positions that are necessary in university operations to support

rapidly expanding needs related to accountability, infrastructure, the university community and the teaching, research and extension functions; 3) create an Industrial Hygienist position that is needed due to the large number of research projects and hazardous materials used in them; 4) provide our professional campus police force with an OSP-mandated adjustment of officers' salaries due to large turnover of personnel due to lack of competitive salaries; 5) enhance and modify the Office of University Advancement's automated systems and provide clerical support for its 1995-97 campaign, "Campaign for NC State Students;" and 6) fund essential fire and safety improvements aimed at decreasing the \$9.5 million backlog in necessary improvements and a \$5.7 million backlog in accessibility improvements.

Agricultural Programs Priorities:

1. Competitive Sustainable Agriculture & Conservation of Natural Resources

- *Improving Water Quality* \$675,000

Funds are requested to enhance research and extension efforts in non-point source (NPS) pollution. Research would provide factual basis upon which to make policy and economic decisions, and relate best management practices to improvement and protection of water quality.

- *Center for Environmental Farming Systems* \$400,000

The Center, located at Goldsboro, will focus research and educational activities in three areas: sustainable agriculture, reduced tillage systems and organic farming. Inter-agency teams from NC State, NCA&T and NCDA,

along with agricultural interests, will work to design profitable agricultural systems that are environmentally sustainable and meet society's need for safe and high-quality food.

- ***Green Industries*** **\$325,000**

North Carolina's nurseries have grown to an annual \$300 million industry, due in part to the new plant introduction program of the NC State Arboretum. Staff are needed at the Arboretum to meet the increased demands of industry and visitors. The turf industry is continuing to expand rapidly, and research and extension faculty and staff, plus operating support, are needed to support that growth.

2. Management of the Human/Environmental Interface

- ***Reduction of NPS Pollution*** **\$800,000**

Intensive farming systems have given rise to concerns about non-point source pollution (NPS). Management and reduction of NPS pollution involves source reduction through management; waste treatment or recycling; and sustainable disposal practices. A comprehensive research and extension program is proposed to address these issues to allow continued economic development while reducing or eliminating environmental impact.

3. Strengthening N.C.'s Food System

- ***Value-Added Agricultural Products for Export Markets*** **\$450,000**

Funds requested will enhance research and extension efforts in product development and processing, especially of small fruits,

vegetables, fish and meat products for export markets.

4. Youth, Family and Community Development

- ***Developing Responsible Youth*** **\$350,000**

Funding for this package would increase university assistance to local schools in science and technology and make curriculum available electronically; provide training and effective program models to local governments on teen issues; and expand local capacity for establishing after-school programs.

- ***Family Financial Management*** **\$410,000**

A focused research and extension program will be developed to improve citizens' financial management and decision-making skills, using this funding.

- ***Rural Health Education*** **\$167,000**

This program is designed to develop health and safety programming focused on the under-served rural population and agricultural industry. Research and extension efforts would also support training programs on rural health issues.

- ***Tourism*** **\$110,000**

These monies will be used to identify infrastructure requirements for supporting rural tourism, community revitalization through tourism, and hospitality training programs to prepare underemployed rural residents for the tourism industry.



