

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

S

2

SENATE BILL 1971
Corrected Copy 5/30/06

Short Title: Cost-share Pgm/Funds to Replace Lagoons. (Public)

Sponsors: Senators Kinnaird; Clodfelter and Cowell.

Referred to: Agriculture/Environment/Natural Resources.

May 26, 2006

A BILL TO BE ENTITLED

1
2 AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL
3 RESOURCES TO DEVELOP A COST-SHARE PROGRAM TO ASSIST
4 GROWERS IN FUNDING ANIMAL WASTE MANAGEMENT SYSTEMS AT
5 SWINE FARMS THAT MEET CERTAIN STANDARDS AND THAT REPLACE
6 SYSTEMS EMPLOYING ANAEROBIC LAGOONS AND TO APPROPRIATE
7 FUNDS FOR THIS PROGRAM.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Beginning no later than October 1, 2006, the Department of
10 Environment and Natural Resources shall develop and implement a cost-share program
11 to provide financial and technical assistance to qualifying growers who volunteer to
12 replace any existing anaerobic lagoon that is a primary component of an animal waste
13 management system with an animal waste management system that meets all of the
14 standards set forth in either subdivision (7) or subdivision (8) of subsection (b) of
15 Section 1.1 of S.L. 1997-458, as amended by Section 2 of S.L. 1998-188. The
16 Department may contract as needed with third-party waste management companies for
17 the transport, management, or treatment of waste produced on swine farms participating
18 in this cost-share program.

19 **SECTION 2.** The Secretary of Environment and Natural Resources shall
20 establish a steering committee to advise it on technology and farm site selection and
21 other criteria under the cost-share program under this act and to assist in evaluating the
22 program's performance. The steering committee shall include at least one member who
23 represents each of the following: a grower, a scientist, an agricultural economist, a
24 representative of a conservation group, a representative of a community group, and a
25 representative of the pork industry.

26 **SECTION 3.** The Department of Environment and Natural Resources may
27 receive and spend any funds received from private, federal, and other public sources for
28 the costs of the cost-share program under this act and may adopt rules necessary to
29 implement this program.

1 **SECTION 4.** The Department of Environment and Natural Resources shall
2 report to the General Assembly no later than August 1, 2007, on the progress of
3 developing and implementing the cost-share program under this act.

4 **SECTION 5.** As used in this act, the following definitions apply:

5 (1) Anaerobic lagoon. – Defined in Section 1.1(a) of S.L. 1997-458, as
6 amended by Section 2 of S.L. 1998-188.

7 (2) Animal waste management system. – Defined in G.S. 143-215.10B.

8 (3) Grower. – Defined in G.S. 143-215.10H.

9 (4) Swine farm. – Defined in G.S. 106-802.

10 **SECTION 6.** There is appropriated from the General Fund to the
11 Department of Environment and Natural Resources the sum of five million dollars
12 (\$5,000,000) for the 2006-2007 fiscal year for the costs of implementing this act and for
13 cost-share funds for growers participating in the cost-share program under this act.

14 **SECTION 7.** This act becomes effective July 1, 2006.