

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-131
HOUSE BILL 1456**

AN ACT TO FACILITATE THE ACQUISITION AND DISPOSITION OF
PROPERTY AND THE PROCUREMENT OF GOODS AND SERVICES BY
REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-427(b) reads as rewritten:

"(b) The acquisition and disposal of real and personal property by an authority created under this Article shall be governed by those provisions of the General Statutes which govern the acquisition and disposal of real and personal property by ~~counties~~ counties, except that Article 8 of Chapter 143 of the General Statutes and Part 3 of Article 8 of Chapter 153A of the General Statutes do not apply. No authority created pursuant to this Article shall exercise any power of eminent domain with respect to any property located outside the territorial jurisdiction of the members of such authority."

SECTION 2. G.S. 153A-427(c) reads as rewritten:

"(c) Each authority's plan shall take into consideration facilities and other resources for management of solid waste which may be available through private enterprise. This Article shall be construed to encourage the involvement and participation of private enterprise in solid waste management. An authority created pursuant to this Article shall establish goals for the procurement of goods and services from minority and historically underutilized businesses."

SECTION 3. G.S. 143-129.2(f) reads as rewritten:

"(f) ~~The~~ Except for authorities created pursuant to Article 22 of Chapter 153A of the General Statutes, the construction work for any facility or structure that is ancillary to a solid waste or sludge management facility and that does not involve storage and processing of solid waste or sludge or the separation, extraction, and recovery of useful or marketable forms of energy and materials from solid waste at a solid waste management facility shall be procured through competitive bidding procedures described by G.S. 143-128 through 143-129.1. Ancillary facilities include but are not limited to roads, water and sewer lines to the facility limits, transfer stations, scale houses, administration buildings, and residue and bypass disposal sites."

SECTION 4. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 18th day of
June, 2007.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 6:01 p.m. this 27th day of June, 2007