

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1399*

Short Title: Env. Research & Policy Center.

(Public)

Sponsors: Representatives Woodard; Barnhill, Culp, Green, Judy Hunt, Luebke, and Withrow.

Referred to: Appropriations.

May 28, 1992

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ENVIRONMENTAL RESEARCH AND POLICY CENTER.

The General Assembly of North Carolina enacts:

Section 1. (a) The General Assembly of North Carolina finds that the State of North Carolina has the strongest contingent of basic and applied environmental research and policy scientists in the United States. Located in North Carolina are: the nation's largest United States Environmental Protection Agency laboratory, the National Institute of Environmental Health Science, a nationally recognized university system, and more than 70 private environmental engineering research and consulting corporations. However, despite this wealth of environmental scientists and research activity within the State, there exists a serious lack of integration of scientific knowledge and sound environmental policy. Notably, there is insufficient compliance and enforcement with existing environmental regulations, inadequate funding for environmental research and education, no statewide comprehensive environmental data base, environmental research plan, or environmental management plan, inadequate evaluation of environmental policy, and a lack of knowledge concerning environmental issues among the general populace. The General Assembly finds that a partnership involving the State government, federal government, institutions of higher learning, and private enterprise would be the most effective means to remedy these deficiencies in the State's efforts to maintain and improve environmental quality. Such a partnership will provide for better coordination of environmental research and public policy-making and will serve as a foundation for efforts to improve environmental education. Such a

1 partnership would position the State to serve as a national and international leader in
2 environmental research and policy development. Such a partnership would also
3 significantly enhance the State's economic standing and competitiveness in the areas of
4 environmental science and technology, would assist existing industry in the State, and
5 would attract new industry to locate in North Carolina.

6 (b) The General Assembly further finds that the most effective mechanism to
7 establish and maintain such a partnership is a private, nonprofit corporation having the
8 following objectives:

- 9 (1) Comprehensive data base creation and management;
- 10 (2) Enhancement of research grant proposals and brokering of research
11 grants;
- 12 (3) Coordination and integration of environmental research and
13 environmental policy-making;
- 14 (4) Organization and information coordination and dissemination,
15 particularly among those involved in environmental research and
16 environmental policy development and implementation;
- 17 (5) Enhancement of private sector economic development; and
- 18 (6) Enhancement of environmental education.

19 (c) It is therefore the purpose of the General Assembly to encourage the
20 establishment of a private, nonprofit corporation as described in the document "North
21 Carolina Environmental Research and Policy Center", as set out in Appendix A to the
22 report of the Legislative Research Commission Study Committee on Bridging
23 Environmental Policy with Public Policy Decision Making to the 1992 Regular Session
24 of the 1991 General Assembly of North Carolina.

25 (d) It is the intention of the General Assembly that the North Carolina
26 Environmental Research and Policy Center:

- 27 (1) Enhance the research and policy-making capabilities of State
28 government, universities, private enterprise, and other research and
29 policy-making communities;
- 30 (2) Encourage technology transfer and collaboration among the State,
31 federal, private, and university sectors;
- 32 (3) Assist and enhance private sector economic development;
- 33 (4) Assist in the arbitration of local and State development and pollution
34 mitigation controversies;
- 35 (5) Act as a central clearinghouse for environmental education programs
36 at all educational levels throughout the State;
- 37 (6) Provide seed money grants to stimulate academic research;
- 38 (7) Assist local governments with local environmental issues such as the
39 development of land management plans;
- 40 (8) Help define critical environmental issues and frame the research
41 agenda necessary to provide the information needed to develop sound
42 environmental policy; and
- 43 (9) Strengthen North Carolina's national and international leadership role
44 in environmental research and policy-making.

1 Sec. 2. There is appropriated from the General Fund to the North Carolina
2 Board of Science and Technology the sum of three hundred thousand dollars (\$300,000)
3 for the fiscal year 1992-93 to be used to enable the North Carolina Board of Science and
4 Technology to assist in the establishment of the North Carolina Environmental Research
5 and Policy Center and to enable the North Carolina Board of Science and Technology to
6 enter into an agreement with the North Carolina Environmental Research and Policy
7 Center to promote environmental research and to achieve the other purposes set out in
8 Section 1 of this act. Funds appropriated by this act may be used to defray legal and
9 other expenses incurred in connection with the incorporation of the Center. The
10 expenditure of funds appropriated by this act is subject to the terms, conditions, and
11 limitations set out in Section 3 of this act. Funds appropriated by this act shall not
12 revert to the General Fund at the end of fiscal year 1992-93. Funds appropriated by this
13 act that have not been expended or obligated shall revert to the General Fund on 30 June
14 1994.

15 Sec. 3. (a) The North Carolina Board of Science and Technology shall enter
16 into an agreement with the North Carolina Environmental Research and Policy Center
17 only if:

- 18 (1) The North Carolina Environmental Research and Policy Center is
19 incorporated pursuant to Chapter 55A of the General Statutes;
- 20 (2) The United States Internal Revenue Service determines that the North
21 Carolina Environmental Research and Policy Center is a nonprofit
22 corporation under section 501(c)(3) of the Internal Revenue Code of
23 1954, as amended;
- 24 (3) The charter and bylaws of the North Carolina Environmental Research
25 and Policy Center provide that the Board of Directors of the Center be
26 constituted as set out in the document referred to in subsection (c) of
27 Section 1 of this act;
- 28 (4) The agreement provides that the North Carolina Environmental
29 Research and Policy Center shall enter into an agreement with the
30 Department of State Auditor for an annual audit of all the financial
31 records of the Center; and
- 32 (5) The agreement provides that the North Carolina Environmental
33 Research and Policy Center shall make a detailed annual report to the
34 North Carolina Board of Science and Technology, the Joint Legislative
35 Commission on Governmental Operations, and the Environmental
36 Review Commission as to its activities and operations, including the
37 audit report required by subsection (d) of this section, on or before 1
38 July of each year beginning 1 July 1993.

39 (b) Not more than seventy-five thousand dollars (\$75,000) of the funds
40 appropriated by this act may be expended, other than to defray the costs of
41 incorporation of the North Carolina Environmental Research and Policy Center, until
42 the Center obtains commitments from non-State sources for additional funds of at least
43 three hundred thousand dollars (\$300,000) to support the operations and activities of the

- 1 Center. Commitments for non-State funds must be obtained and non-State funds made
- 2 available to the Center on or before 30 June 1994.
- 3 Sec. 4. This act becomes effective 1 July 1992.