

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 18*
Committee Substitute Favorable 5/6/91

Short Title: Local Health Board Rules.

(Public)

Sponsors:

Referred to:

February 4, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT BY
3 REFERENCE RULES OF THE ENVIRONMENTAL MANAGEMENT
4 COMMISSION CONCERNING WELLS OR TO ADOPT MORE STRINGENT
5 RULES.

6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 87-96 reads as rewritten:

8 "**§ 87-96. Conflict with other laws.**

9 (a) The provisions of any law, rule, or local ordinance which establish standards
10 affording greater protection to groundwater resources or public health, safety, or welfare
11 shall prevail, within the jurisdiction to which they apply, over the provisions of this
12 Article and rules adopted pursuant to this Article.

13 (b) Rules relating to public health, wells, or groundwater adopted by the
14 Commission for Health Services shall prevail over this ~~Article or rules adopted pursuant to~~
15 ~~this Article.~~ Article, rules adopted pursuant to this Article, and rules adopted by a local
16 board of health pursuant to subsection (c) of this section. This Article shall not be
17 construed to repeal any law or rule in effect as of July 1, 1989.

18 (c) A local board of health may adopt by reference rules adopted by the
19 Environmental Management Commission pursuant to this Article, and may adopt more
20 stringent rules when necessary to protect the public health. Rules adopted by a local
21 board of health pursuant to this subsection shall prevail over this Article and rules
22 adopted pursuant to this Article."

23 Sec. 2. This act is effective upon ratification.