

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 18*
Committee Substitute Favorable 5/6/91
Third Edition Engrossed 5/8/91

Short Title: Local Health Board Rules.

(Public)

Sponsors:

Referred to:

February 4, 1991

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT BY REFERENCE RULES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION CONCERNING WELLS OR TO ADOPT MORE STRINGENT RULES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 87-96 reads as rewritten:

"§ 87-96. Conflict with other laws.

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

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

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

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