

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1991

CHAPTER 990
HOUSE BILL 528

AN ACT TO AMEND THE FREQUENCY OF REPORTS PREPARED FOR THE
GENERAL ASSEMBLY, THE ENVIRONMENTAL REVIEW COMMISSION,
AND THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL
OPERATIONS RELATING TO VARIOUS ENVIRONMENTAL PROGRAMS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-282 is amended by designating the existing test as subsection (a) and by adding a new subsection to read:

"(b) The Environmental Management Commission shall submit quarterly written reports as to its operation, activities, programs, and progress to the Environmental Review Commission. The Environmental Management Commission shall supplement the written reports required by this subsection with additional written and oral reports as may be requested by the Environmental Review Commission."

Sec. 2. Section 6 of Chapter 426 of the 1989 Session Laws is repealed.

Sec. 3. Section 3 of Chapter 603 of the 1989 Session Laws, as amended by Section 222 of Chapter 727 of the 1989 Session Laws, reads as rewritten:

"Sec. 3. The Department of Environment, Health, and Natural Resources shall report semi-annually beginning 1 October 1989 to the Joint Legislative Commission on Governmental Operations and on an annual basis beginning 1 September 1992 to the Environmental Review Commission as to progress in the implementation of this act."

Sec. 4. G.S. 120-70.43 is amended by designating the existing text as subsection (a). Section 225(a) of Chapter 727 of the 1989 Session Laws is codified as G.S. 120-70.43(b). Section 46(b) of Chapter 168 of the 1989 Session Laws is codified as G.S. 120-70.43(c).

Sec. 5. G.S. 143B-279.5 reads as rewritten:

"§ 143B-279.5. Biennial State of the Environment Report.

(a) The Secretary of Environment, Health, and Natural Resources shall report on the state of the environment to the General Assembly and the Environmental Review Commission no later than 1 January 15 February of each odd-numbered year beginning 1 January 1991-year. The report shall include:

- (1) An identification and analysis of current environmental protection issues and problems within or affecting the State and its people;
- (2) Trends in the quality and use of North Carolina's air and water resources;
- (3) An inventory of areas of the State where air or water pollution is in evidence or may occur during the upcoming biennium;

- (4) Current efforts and resources allocated by the Department to correct identified pollution problems and an estimate, if necessary, of additional resources needed to study, identify, and implement solutions to solve potential problems;
- (5) Departmental goals and strategies to protect the natural resources of the State;
- (6) Any information requested by the General Assembly or the Environmental Review Commission;
- (7) Suggested legislation, if necessary; and
- (8) Any other information on the state of the environment the Secretary considers appropriate.

(b) Other State agencies involved in protecting the State's natural resources and environment shall cooperate with the Department of Environment, Health, and Natural Resources in preparing this report."

Sec. 6. Section 47(c) of Chapter 168 of the 1989 Session Laws reads as rewritten:

"(c) All information received pursuant to G.S. 130A-294(k), G.S. 143-215.1(g) and G.S. 143-215.108(c) shall be transmitted to the Solid Waste Management Division of the Department for review and analysis. The Solid Waste Management Division shall consider this information in the development of the comprehensive hazardous waste management plan required by G.S. 130A-294(i) and shall prepare a report on the feasibility of incorporating waste reduction requirements into existing solid and hazardous waste permitting processes. The Solid Waste Management Division shall report to the Environmental Review Commission as to progress in implementing this section ~~on a quarterly basis beginning 1 January 1990.~~ annually beginning 1 January 1993."

Sec. 7. G.S. 130A-309.12(c) reads as rewritten:

"(c) The Department shall report ~~on a quarterly basis~~ on an annual basis beginning 1 September 1992 to the Joint Legislative Commission on Governmental Operations and to the Environmental Review Commission as to the condition of the Solid Waste Management Trust Fund and as to the use of all funds allocated from the Solid Waste Management Trust Fund. ~~Quarterly reports required under this subsection shall be made not later than 60 days after the last day of each calendar quarter beginning with the quarter ending 31 December 1989.~~"

Sec. 8. Section 2 of Chapter 1082 of the 1989 Session Laws, as amended by Section 1 of Chapter 20 of the 1991 Session Laws, reads as rewritten:

"Sec. 2. The Department of Environment, Health, and Natural Resources shall report ~~quarterly~~ to the Joint Legislative Commission on Governmental Operations and the Environmental Review Commission on an annual basis beginning 1 July 1991 ~~1 September 1992~~ on the implementation of the resident inspectors program. The receipts and expenditures provided for by this act shall appear as a separate expansion budget request for the 1991-93 biennium."

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 20th day of July, 1992.

Henson P. Barnes
President Pro Tempore of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives