

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**HOUSE DRH50590-SYz-31\* (04/21)**

Short Title: Environmental Reports Consolidation 2006. (Public)

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Sponsors: Representatives Gibson, Harrell, and Justice (Primary Sponsors).

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 113-206(f) reads as rewritten:

"(f) In evaluating claims registered pursuant to G.S. 113-205, the Secretary shall favor public ownership of submerged lands and public trust rights. The Secretary's action does not alter or affect in any way the rights of a claimant or the State.

~~To facilitate resolution of claims registered pursuant to G.S. 113-205, the Secretary, in cooperation with the Secretary of Administration and the Attorney General, shall establish a plan to resolve these claims by 31 December 2003. The Secretary shall notify the Secretary of Administration and the Attorney General of the resolution of each claim. In addition, on or before October 1 of each year, the Secretary shall submit a report to the Joint Legislative Commission on Governmental Operations stating the following:~~

- ~~(1) The number of claims registered pursuant to G.S. 113-205 that were resolved during the preceding year;~~
- ~~(2) The cost of resolving these claims;~~
- ~~(3) The number of unresolved claims; and~~
- ~~(4) Payments made to acquire claims by condemnation."~~

**SECTION 2.** Section 11 of S.L. 2002-4 reads as rewritten:

**"Section 11.** The Environmental Management Commission shall study the desirability of requiring and the feasibility of obtaining reductions in emissions of oxides of nitrogen (NOx) and sulfur dioxide (SO<sub>2</sub>) beyond those required by G.S. 143-215.107D, as enacted by Section 1 of this act. The Environmental Management Commission shall consider the availability of emissions reduction

1 technologies, increased cost to consumers of electric power, reliability of electric power  
2 supply, actions to reduce emissions of oxides of nitrogen (NOx) and sulfur dioxide  
3 (SO<sub>2</sub>) taken by states and other entities whose emissions negatively impact air quality  
4 in North Carolina or whose failure to achieve comparable reductions would place the  
5 economy of North Carolina at a competitive disadvantage, and the effects that these  
6 reductions would have on public health, the environment, and natural resources,  
7 including visibility. In its conduct of this study, the Environmental Management  
8 Commission may consult with the Utilities Commission and the Public Staff. The  
9 Environmental Management Commission shall report its findings and recommendations  
10 to the General Assembly and the Environmental Review Commission annually  
11 beginning 1 September ~~2005-2007~~."

12 **SECTION 3.** G.S. 143-215.107C(c) is repealed.

13 **SECTION 4.** G.S. 143B-279.12(e) reads as rewritten:

14 "(e) No later than ~~October 1, 2004, and annually thereafter,~~ 1 March of each year,  
15 the Department of Environment and Natural Resources shall report to the ~~House of~~  
16 ~~Representatives and the Senate Appropriations Subcommittees on Natural and~~  
17 ~~Economic Resources, the Fiscal Research Division,~~ Division and the Environmental  
18 Review Commission the number of environmental permits subject to this section that  
19 took more than 90 days to issue or deny, the types of permits those were, the reasons for  
20 the extended processing time of those permits, and how the time within which the  
21 permit was actually issued or denied compared with the projected time frame provided  
22 to the applicant by the Department as required by this section. Based on the data  
23 gathered under this subsection, the Department shall include in its annual report  
24 recommendations regarding permit time frames for all major permits issued by the  
25 Department."

26 **SECTION 5.** G.S. 147-12(b) reads as rewritten:

27 "(b) The Department of Transportation, the Department of Correction, the  
28 Department of Crime Control and Public Safety, the State Highway Patrol, the Wildlife  
29 Resources Commission, the Division of Parks and Recreation in the Department of  
30 Environment and Natural Resources, and the Division of Marine Fisheries in the  
31 Department of Environment and Natural Resources shall deliver to the Governor by  
32 February 1 ~~and August 1~~ of each year detailed information on the agency's litter  
33 enforcement, litter prevention, and litter removal efforts. The Administrative Office of  
34 the Courts shall deliver to the Governor by February 1 ~~and August 1~~ of each year  
35 detailed information on the enforcement of the littering laws of the State, including the  
36 number of charges and convictions under the littering laws of the State. The Governor  
37 shall gather the information submitted by the respective agencies and deliver a  
38 consolidated ~~semiannual~~ annual report on or before March 1 ~~and September 1~~ of each  
39 year to the Environmental Review Commission, the Joint Legislative Transportation  
40 Oversight Committee, and the House of Representatives and the Senate Appropriations  
41 Subcommittees on Natural and Economic Resources."

42 **SECTION 6.** G.S. 130A-295.02(m) reads as rewritten:

1       "(m) The Department shall report annually on or before 1 ~~September~~ October to  
2 the Environmental Review Commission on the implementation of the resident  
3 inspectors program."

4               **SECTION 7.** This act becomes effective when it becomes law.