

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

1

HOUSE BILL 1802\*

Short Title: ENR Reports Consolidation 2010. (Public)

Sponsors: Representatives Harrison, Gibson, Tarleton, Underhill (Primary Sponsors);  
Carney, Faison, Gill, Goforth, and Hughes.

Referred to: Environment and Natural Resources, if favorable, State Government/State  
Personnel.

May 19, 2010

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 130A-309.06(c)(13) is repealed.

**SECTION 2.** G.S. 130A-310.57 reads as rewritten:

**"§ 130A-310.57. (Effective until December 31, 2017) Reports.**

The Department shall submit an annual report on the mercury switch removal program under this Part to the Environmental Review ~~Commission~~ Commission, ~~and~~ the Senate and House of Representatives Appropriations Subcommittees on Natural and Economic ~~Resources~~ Resources, and the Fiscal Research Division of the General Assembly on or before 1, October of each year. The report shall include, at a minimum, all of the following:

- (1) A detailed description of the mercury recovery performance ratio achieved by the mercury switch removal program.
- (1a) A detailed description of the mercury switch collection system developed and implemented by vehicle manufacturers in accordance with the NVMSRP.
- (2) In the event that a mercury recovery performance ratio of at least 0.90 of the national mercury recovery performance ratio as reported by the NVMSRP is not achieved, a description of additional or alternative actions that may be implemented to improve the mercury switch removal program.
- (3) The number of mercury switches collected and a description of how the mercury switches were managed.
- (4) A statement that details the costs required to implement the mercury switch removal program including a summary of receipts and disbursements from the Mercury Switch Removal Account."

**SECTION 3.** G.S. 143-214.13 reads as rewritten:

**"§ 143-214.13. Ecosystem Enhancement Program: reporting requirement.**

(a) The Department of Environment and Natural Resources shall report each year by November 1 to the Environmental Review Commission and to the Joint Legislative Commission on Governmental Operations regarding its progress in implementing the Ecosystem Enhancement Program and its use of the funds in the Ecosystem Restoration Fund. The report shall document statewide wetlands losses and gains and compensatory mitigation performed under G.S. 143-214.8 through G.S. 143-214.12. The report shall also provide an



\* H 1 8 0 2 - V - 1 \*

1 accounting of receipts and disbursements of the Ecosystem Restoration Fund, an analysis of the  
2 per-acre cost of wetlands restoration, and a cost comparison on a per-acre basis between the  
3 State's Ecosystem Enhancement Program and private mitigation banks. The Department shall  
4 also send a copy of its report to the Fiscal Research Division of the General Assembly.

5 (b) The Department shall maintain an inventory of all property that is held, managed,  
6 maintained, enhanced, restored, or used to create wetlands under the Ecosystem Enhancement  
7 Program. The inventory shall also list all conservation easements held by the Department. The  
8 inventory shall be included in the annual report required under subsection (a) of this section."

9 **SECTION 4.** G.S. 143B-336.1 reads as rewritten:

10 **"§ 143B-336.1. Special Zoo Fund.**

11 A special continuing and nonreverting fund, to be called the Special Zoo Fund, is created.  
12 The North Carolina Zoological Park shall retain unbudgeted receipts at the end of each fiscal  
13 year, beginning June 30, 1989, and deposit these receipts into this Fund. This Fund shall be  
14 used for maintenance, repairs, and renovations of exhibits in existing habitat clusters and visitor  
15 services facilities, construction of visitor services facilities and support facilities such as  
16 greenhouses and temporary animal holding areas, for the replacement of tram equipment as  
17 required to maintain adequate service to the public, and for marketing the Zoological Park. The  
18 Special Zoo Fund may also be used to match private funds that are raised for these purposes.  
19 Funds may be expended for these purposes by the Department of Environment and Natural  
20 Resources on the advice of the North Carolina Zoological Park Council and with the approval  
21 of the Office of State Budget and Management. The Department of Environment and Natural  
22 Resources shall provide ~~an annual~~ a report on or before October 1 of each year to the Office of  
23 State Budget and ~~Management~~ Management, and to the Fiscal Research Division of the  
24 ~~Legislative Services Office~~ General Assembly, and to the Joint Legislative Commission on  
25 Governmental Operations on the use of fees collected pursuant to this section."

26 **SECTION 5.** G.S. 143B-344.21 reads as rewritten:

27 **"§ 143B-344.21. Reports to General Assembly.**

28 The Commission shall prepare and submit a report outlining the needs of the North  
29 Carolina State Museum of Natural Sciences and recommendations for improvement of the  
30 effectiveness of the North Carolina State Museum of Natural Sciences for the purpose  
31 hereinabove set forth to the 1995 General Assembly, and to each succeeding General  
32 Assembly, to the Fiscal Research Division of the General Assembly, and to the Joint  
33 Legislative Commission on Governmental Operations ~~a report outlining the needs of the North~~  
34 ~~Carolina State Museum of Natural Sciences and their recommendation for improvement of the~~  
35 ~~effectiveness of the North Carolina State Museum of Natural Sciences for the purpose~~  
36 ~~hereinabove set forth~~ on or before October 1 of each year."

37 **SECTION 6.** This act is effective when it becomes law.