

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1802*
Committee Substitute Favorable 6/1/10

Short Title: ENR Reports Consolidation 2010.

(Public)

Sponsors:

Referred to:

May 19, 2010

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL
3 RESOURCES REPORTING REQUIREMENTS, AS RECOMMENDED BY THE
4 ENVIRONMENTAL REVIEW COMMISSION.

5 The General Assembly of North Carolina enacts:

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 G.S. 130A-309.06(c)(13) is repealed.

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

8 "§ 130A-310.57. (Effective until December 31, 2017) Reports.

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

- 14 (1) A detailed description of the mercury recovery performance ratio achieved
15 by the mercury switch removal program.
- 16 (1a) A detailed description of the mercury switch collection system developed
17 and implemented by vehicle manufacturers in accordance with the
18 NVMSRP.
- 19 (2) In the event that a mercury recovery performance ratio of at least 0.90 of the
20 national mercury recovery performance ratio as reported by the NVMSRP is
21 not achieved, a description of additional or alternative actions that may be
22 implemented to improve the mercury switch removal program.
- 23 (3) The number of mercury switches collected and a description of how the
24 mercury switches were managed.
- 25 (4) A statement that details the costs required to implement the mercury switch
26 removal program including a summary of receipts and disbursements from
27 the Mercury Switch Removal Account."

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

29 "§ 143-214.13. Ecosystem Enhancement Program: reporting requirement.

30 (a) The Department of Environment and Natural Resources shall report each year by
31 November 1 to the Environmental Review Commission and to the Joint Legislative
32 Commission on Governmental Operations regarding its progress in implementing the
33 Ecosystem Enhancement Program and its use of the funds in the Ecosystem Restoration Fund.
34 The report shall document statewide wetlands losses and gains and compensatory mitigation
35 performed under G.S. 143-214.8 through G.S. 143-214.12. The report shall also provide an
36 accounting of receipts and disbursements of the Ecosystem Restoration Fund, an analysis of the
37 per-acre cost of wetlands restoration, and a cost comparison on a per-acre basis between the



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1 State's Ecosystem Enhancement Program and private mitigation banks. The Department shall
2 also send a copy of its report to the Fiscal Research Division of the General Assembly.

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

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

8 "**§ 143B-336.1. Special Zoo Fund.**

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

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

25 "**§ 143B-344.21. Reports to General Assembly.**

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

35 **SECTION 6.** S.L. 2002-4, Section 11, as amended by S.L. 2006-79, reads as
36 rewritten:

37 "**Section 11.** The Environmental Management Commission shall study the desirability of
38 requiring and the feasibility of obtaining reductions in emissions of oxides of nitrogen (NOx)
39 and sulfur dioxide (SO2) beyond those required by G.S. 143-215.107D, as enacted by Section 1
40 of this act. The Environmental Management Commission shall consider the availability of
41 emissions reduction technologies, increased cost to consumers of electric power, reliability of
42 electric power supply, actions to reduce emissions of oxides of nitrogen (NOx) and sulfur
43 dioxide (SO2) taken by states and other entities whose emissions negatively impact air quality
44 in North Carolina or whose failure to achieve comparable reductions would place the economy
45 of North Carolina at a competitive disadvantage, and the effects that these reductions would
46 have on public health, the environment, and natural resources, including visibility. In its
47 conduct of this study, the Environmental Management Commission may consult with the
48 Utilities Commission and the Public Staff. The Environmental Management Commission shall
49 report its findings and recommendations to the General Assembly and the Environmental
50 Review Commission ~~annually~~ annually ~~beginning 1 September 2007~~ beginning 1 September 2011."

51 **SECTION 7.** This act is effective when it becomes law.