

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 617

Short Title: Limit Outside Work for DENR/Local Staff. (Public)

Sponsors: Representatives Allen; and Insko.

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

March 17, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO PREVENT POTENTIAL CONFLICTS OF INTEREST BY PERSONS  
3 EMPLOYED BY THE STATE OR ACTING AS AGENTS OF THE STATE WITHIN  
4 LOCAL HEALTH DEPARTMENTS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 11 of Chapter 130A of the General Statutes is amended by  
7 adding a new section to read:

8 "**§ 130A-339.1. Employment limitations to avoid conflict of interest.**

9 (a) Any person employed by the State or a local health department, or any person under  
10 contract with the State or a local health department, to act as an authorized agent of the  
11 Department to enforce rules of the Commission or a local health department regarding  
12 wastewater systems shall not evaluate, consult, or provide service maintenance for any  
13 wastewater site or any wastewater system regulated by the Department under rules adopted by  
14 the Commission or a local board of health unless such activity is performed in the course of  
15 their employment by, or their contractual relationship with, the State or local health department.

16 (b) The limitations under subsection (a) of this section apply to evaluating, consulting,  
17 and any other work activity performed as any of the following:

18 (1) A soil scientist licensed under Chapter 89F of the General Statutes.

19 (2) A water pollution control system operator certified under Article 3 of  
20 Chapter 90A of the General Statutes.

21 (3) An on-site wastewater contractor or inspector certified under Article 5 of  
22 Chapter 90A of the General Statutes.

23 (c) The limitations under subsection (a) of this section do not apply to authorized agents  
24 engaged in such activities when employed by, or under contract with, a joint agency established  
25 under G.S. 130A-343.1."

26 SECTION 2. This act is effective when it becomes law and applies to acts that  
27 occur on or after that date.

