

April 6, 2005

H 1135. ENVIRONMENTAL ENFORCEMENT ACCOUNTABILITY ACT. TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH AND MAINTAIN A LIST OF CHRONIC VIOLATORS AND A DATABASE OF ENFORCEMENT ACTIONS AND TO FURTHER DISCOURAGE VIOLATIONS RELATING TO THE ENVIRONMENT. Enacts new GS 143B-279.13 to require that the Dep't of Environment and Natural Resources (DENR) establish a list of chronic violators that identifies any individual or entity required to obtain a permit or license from DENR that was subject to two or more enforcement actions or was convicted of a crime in connection with a violation during the preceding five years. Requires that DENR make chronic violator list available on its Web site. Further requires that DENR establish a searchable enforcement database of violations and enforcement actions taken by DENR and make the database accessible to the public. Specifies information to be included in enforcement database. Enacts new GS 143-59.4 to prohibit the Secretary of Administration and other State agencies from contracting with a vendor included on the chronic violators list and to require that Secretary require that vendor certify in bid or contract that vendor is not included on list. Provides that false certifications are subject to a maximum civil penalty of \$10,000 per occurrence. Requires that DENR report to the Environmental Review Comm'n on or before January 1, 2006, on whether it has adequate resources to establish chronic violators list and on any additional resources needed to create enforcement database. Effective September 1, 2005.

Intro. by Harrison, Luebke, Weiss.

Ref. to Environment

GS 143, 143B