

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1802*
PROPOSED COMMITTEE SUBSTITUTE H1802-PCS70567-TF-3

Short Title: ENR Reports Consolidation 2010.

(Public)

Sponsors:

Referred to:

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 G.S. 130A-309.06(c)(13) is repealed.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



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1 performed under G.S. 143-214.8 through G.S. 143-214.12. The report shall also provide an
2 accounting of receipts and disbursements of the Ecosystem Restoration Fund, an analysis of the
3 per-acre cost of wetlands restoration, and a cost comparison on a per-acre basis between the
4 State's Ecosystem Enhancement Program and private mitigation banks. The Department shall
5 also send a copy of its report to the Fiscal Research Division of the General Assembly.

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

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

11 **"§ 143B-336.1. Special Zoo Fund.**

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

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

28 **"§ 143B-344.21. Reports to General Assembly.**

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

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

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

1 report its findings and recommendations to the General Assembly and the Environmental
2 Review Commission ~~annually~~ biennially beginning ~~1 September 2007.~~ 1 September 2011."
3 **SECTION 7.** This act is effective when it becomes law.