

# Daily Bulletin

## ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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### School of Government

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Tuesday, August 7, 2012

### Legislation Enacted

**SL 2012-199 (H 585).** [VEHICLE EMISSIONS INSPECTIONS](#). AN ACT TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN SEVENTY THOUSAND MILES FROM EMISSIONS INSPECTIONS. Summarized in *Daily Bulletin* 6/28/12 and 7/2/12. Enacted August 1, 2012. Effective August 1, 2012, except as otherwise provided.

Alcoholic Beverage Control; State Government; Transportation

**SL 2012-200 (S 229).** [AMEND ENVIRONMENTAL LAWS 2012](#). AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDROPOWER STORAGE TO WATER SUPPLY STORAGE; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) PROVIDE THAT TYPE 1 SOLID WASTE COMPOST FACILITIES ARE NOT REQUIRED TO OBTAIN A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR DISCHARGE OF PROCESS WASTEWATER BASED SOLELY ON THE DISCHARGE OF STORMWATER THAT HAS COME INTO CONTACT WITH FEEDSTOCK, INTERMEDIATE PRODUCT, OR FINAL PRODUCT AT THE FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (8A) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO ALLOW DEVELOPMENT ON EXISTING LOTS UNDER CERTAIN CONDITIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE AND DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE

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AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (15) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (16) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (17) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (18) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (19) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (20) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; (21) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; AND (22) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS. Summarized in *Daily Bulletin* 3/7/11, 5/3/11, 6/11/12, 6/12/12, 6/13/12, 6/18/12, and 6/28/12. Enacted August 1, 2012. Section 21(b) is effective December 31, 2017. Sections 16(a) and (b) are effective July 1, 2012. Sections 18 and 19 are effective October 1, 2012. The remainder is effective August 1, 2012.

Agriculture, Environment, and  
Natural Resources

**SL 2012-201 (H 953).** [AMEND ENVIRONMENTAL LAWS 2](#). AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE, AND TO MAKE CHANGES TO THE CLEAN ENERGY AND ECONOMIC SECURITY ACT. Summarized in *Daily Bulletin* 5/16/12, 6/21/12, and 6/28/12. Enacted August 1, 2012. Effective August 1, 2012.

Agriculture, Environment, and  
Natural Resources

**SL 2012-202 (H 819).** [COASTAL MANAGEMENT POLICIES](#). AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES. Summarized in *Daily Bulletin* 4/7/11, 4/21/11, 6/11/12, 6/12/12, and 7/2/12. Enacted August 3, 2012. Effective August 3, 2012.

Agriculture, Environment, and  
Natural Resources; Property, Land  
Use, and Housing

**SL 2012-203 (H 1009).** [MSD AMENDMENTS](#). AN ACT TO AMEND THE NORTH CAROLINA METROPOLITAN SEWERAGE DISTRICTS ACT TO MODIFY REPRESENTATION ON THE DISTRICT BOARD UPON EXPANSION, AND TO ALLOW METROPOLITAN SEWERAGE DISTRICTS TO ALSO EXERCISE THE SAME POWERS AS METROPOLITAN WATER DISTRICTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S METROPOLITAN SEWERAGE/WATER SYSTEM COMMITTEE. Summarized in *Daily Bulletin* 5/17/12 and 6/14/12. Enacted August 3, 2012. Effective July 1, 2012.

Energy and Utilities; Local  
Government

## **NEXT SESSIONS**

**January 30, 2013**

**HOUSE convenes at 12:00 p.m.**

**SENATE convenes at 12:00 p.m.**