

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1294*

Short Title: Extend/Expand Env. Health Study.

(Public)

Sponsors: Senators Perdue; Albertson, Cochrane, Jenkins, Kinnaird, Martin of Pitt, and Odom.

Referred to: Agriculture/Environment/Natural Resources.

May 27, 1998

A BILL TO BE ENTITLED

1
2 AN ACT TO EXTEND THE STUDY OF THE ORGANIZATIONAL STRUCTURE
3 AND ADMINISTRATIVE PLACEMENT OF THE PROGRAMS IN THE
4 DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF
5 ENVIRONMENT AND NATURAL RESOURCES AND TO EXPAND THE
6 SCOPE OF THE STUDY TO INCLUDE THE ORGANIZATION, FUNCTIONS,
7 POWERS, AND DUTIES OF THE VARIOUS BOARDS, COMMISSIONS, AND
8 COUNCILS HAVING JURISDICTION OVER ENVIRONMENTAL, PUBLIC
9 HEALTH, AND NATURAL RESOURCES PROGRAMS, AS RECOMMENDED
10 BY THE ENVIRONMENTAL REVIEW COMMISSION.

11 The General Assembly of North Carolina enacts:

12 Section 1. Section 11A.127 of S.L. 1997-443 reads as rewritten:

13 "Section 11A.127. Pending ~~the results of action by the General Assembly on the~~
14 recommendations of the Environmental Review Commission resulting from the study to
15 be undertaken by the Environmental Review Commission as provided in this Part, on-site
16 wastewater functions, public drinking water programs, and environmental health
17 programs shall remain in the Department of Environment and Natural Resources, the
18 Division of Environmental Health, shall remain intact in the Department of Environment
19 and Natural Resources, and the Department of Environment and Natural Resources shall

1 not consolidate on-site wastewater functions or drinking water programs in the Division
2 of Water Quality."

3 Section 2. Section 11A.128 of S.L. 1997-443 reads as rewritten:

4 "Section 11A.128. The Environmental Review Commission shall study the following
5 issues and report its findings to the ~~1997 General Assembly, Regular Session 1998, 1999~~
6 General Assembly, along with any legislation it proposes to address these issues:

- 7 (1) The appropriate roles and financing of local and state agencies in
8 reviewing, permitting, inspecting, and monitoring private wells,
9 community wells, municipal wells, and municipal surface water
10 supplies;
- 11 (2) The appropriate roles and financing of local and State agencies in
12 reviewing, permitting, inspecting, monitoring, and maintaining septic
13 tanks, package wastewater treatment plants, municipal wastewater
14 treatment plants, industrial treatment plants, and animal waste
15 operations;
- 16 (3) The appropriate roles and financing of local and State agencies in
17 administering the various environmental health programs;
- 18 (4) The integration of State's review of the financial integrity of applicants
19 for drinking water and wastewater discharge permits;
- 20 (5) Policies to monitor the quality and prevent and reduce pollution of
21 groundwaters;
- 22 (6) Consistent State policies for cleaning up contaminated groundwater and
23 soils;
- 24 (7) Coordination of adoption and development of policies by the Coastal
25 Resources Commission, Environmental Management Commission,
26 Commission on Health Services, Marine Fisheries Commission, and
27 other commissions having roles in water quality or wastewater issues;
- 28 (8) Policies to monitor the quality and prevent and reduce pollution of
29 surface waters;
- 30 (9) Organization of the State's water planning agencies;
- 31 (10) Technical and financial assistance to business, industry, local
32 governments, and citizens;
- 33 (11) Policies to encourage water conservation;
- 34 (12) Policies to encourage regional water supply and wastewater treatment
35 planning; and
- 36 (13) The role of the North Carolina Cooperative Extension Services, North
37 Carolina Department of Agriculture, and the North Carolina Department
38 of Transportation in the protection of water supplies.
- 39 (14) The organization, functions, powers, and duties of the various boards,
40 commissions, and councils having jurisdiction over environmental,
41 public health, and natural resources programs, including whether those
42 functions, powers, and duties should be consolidated in a single
43 commission."

1 Section 3. Section 11A.129 of S.L. 1997-443 reads as rewritten:

2 "Section 11A.129. The Secretary of Health and Human Services may reorganize the
3 Department of Health and Human Services in accordance with G.S. 143B-10 and shall
4 report as required by that section. In addition, the Department of Health and Human
5 Services shall do the following:

6 (1) Report to the Joint Legislative Commission on Governmental
7 Operations by December 31, 1997, on the Department's progress in
8 incorporating health functions and agencies into the Department;

9 (2) Report to the General Assembly by ~~May 1, 1998~~, 1 February 1999 on
10 additional changes, including proposed legislation necessary to
11 effectuate the purposes of this Part including the findings of the
12 Environmental Review Commission's study.

13 (3) Report to the Joint Legislative Commission on Governmental
14 Operations by ~~October 31, 1998~~, 1 February 1999 on any proposed
15 changes in the Department's structure of boards and commissions not
16 already implemented as a result of the Environmental Review
17 Commission's study or necessary to effectuate the purposes of this Part
18 and to deliver services more efficiently;

19 (4) Report to the General Assembly by February 1, 1999, on the
20 Department's progress in adopting any rule changes necessary to
21 effectuate the purposes of this Part and any proposed legislation
22 necessary to change the structure of any boards and commissions as
23 reported to the Joint Legislative Commission on Governmental
24 Operations."

25 Section 4. This act is effective when it becomes law.