

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE BILL 823\***

Short Title: Environmental Technical Corrections. (Public)

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Sponsors: Senator Albertson.

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Referred to: Agriculture/Environment/Natural Resources.

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April 3, 2003

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL  
3 AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT,  
4 ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES.

5 The General Assembly of North Carolina enacts:

6           **SECTION 1.** G.S. 113-44.8(a) reads as rewritten:

7           "(a) The State of North Carolina offers unique archaeological, geologic, biological,  
8 scenic, and recreational resources. These resources are part of the heritage of the people  
9 of this State. The heritage of a people should be preserved and managed by ~~those~~the  
10 people for their use and for the use of their visitors and descendants."

11           **SECTION 2.** G.S. 113-173(e) reads as rewritten:

12           "(e) Replacement RCGL. – The provisions of ~~G.S.~~G.S. 113-168.1(h) apply to this  
13 section."

14           **SECTION 3.** G.S. 113A-232(a) reads as rewritten:

15           "(a) Fund Created. – The Conservation Grant Fund is created within the  
16 Department of Environment and Natural Resources. The Fund shall be administered by  
17 ~~that~~the Department. The purpose of the Fund is to stimulate the use of conservation  
18 easements and conservation tax credits, to improve the capacity of private nonprofit  
19 land trust organizations to successfully accomplish conservation projects, to better equip  
20 real estate related professionals to pursue opportunities for conservation, to increase  
21 landowner participation in land and water conservation, and to provide an opportunity  
22 to leverage private and other public monies for conservation easements."

23           **SECTION 4.** G.S. 130A-309.14(a1)(3) reads as rewritten:

24           "(3) The Department of Administration and the Department of  
25 Transportation shall each provide by 1 October of each year to the  
26 Department of Environment and Natural Resources a detailed  
27 description of the respective Agency's review and revision of bid  
28 procedures and purchase and use of reusable, refillable, repairable,  
29 more durable, and less toxic supplies and products. The information

1 provided by the Department of Administration and the Department of  
2 Transportation to the Department of Environment and Natural  
3 Resources shall also be included in the report required by G.S.  
4 130A-309.06(c)."

5 **SECTION 5.** G.S. 143-215.107B reads as rewritten:

6 "**§ 143-215.107B. Statewide goals for reduction in emissions of ~~nitrogen-oxides;~~**  
7 **oxides of nitrogen; report.**

8 It shall be the goal of the State to reduce emissions of ~~nitrogen-oxides~~ of nitrogen  
9 (NOx) from all sources by at least twenty-five percent (25%) by 1 July 2009. It shall be  
10 the goal of the State to reduce the growth of vehicle miles traveled in the State by at  
11 least twenty-five percent (25%) of that growth that would otherwise occur by 1 July  
12 2009. The Department of Environment and Natural Resources and the Department of  
13 Transportation shall evaluate progress toward achieving these goals in each fiscal year  
14 and shall report their findings and recommendations as to any measures that may be  
15 needed to achieve these goals to the Environmental Review Commission on or before 1  
16 October of each year ~~beginning 1 October 2000.~~ year."

17 **SECTION 6.** G.S. 143-215.108(a) reads as rewritten:

18 "(a) Except as provided in subsections (a1) and (a2) of this section, no person  
19 shall do any of the following things or carry out any of the following activities ~~which~~  
20 that contravene or will be likely to contravene standards established pursuant to G.S.  
21 143-215.107 or set out in G.S. 143-215.107D unless that person has obtained ~~from the~~  
22 ~~Commission~~ a permit therefor from the Commission and has complied with any  
23 conditions of ~~this~~ the permit:

- 24 (1) Establish or operate any air contaminant ~~source;~~ source.
- 25 (2) Build, erect, use or operate any equipment ~~which that~~ may result in the  
26 emission of ~~an air contaminants~~ contaminant or ~~which that~~ is likely to  
27 cause air ~~pollution;~~ pollution.
- 28 (3) Alter or change the construction or method of operation of any  
29 equipment or process from which air contaminants are or may be  
30 ~~emitted;~~ emitted.
- 31 (4) Enter into an irrevocable contract for the construction and installation  
32 of any air-cleaning device, or allow or cause ~~such~~ any air-cleaning  
33 device to be constructed, installed, or operated."

34 **SECTION 7.** G.S. 143-726(d)(4) reads as rewritten:

35 "(4) The Secretary of ~~the Department of~~ Environment and Natural  
36 Resources."

37 **SECTION 8.** This act is effective when it becomes law.