

1 SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO CARRY
2 OUT CERTAIN RESPONSIBILITIES RELATED TO THE PREVENTION AND
3 CONTROL OF LEAD POISONING IN CHILDREN.

4 The General Assembly of North Carolina enacts:

5
6 **PART I. AMEND ENVIRONMENTAL LAWS**

7
8 **SECTION 1.** G.S. 20-183.2(b)(1) reads as rewritten:

9 "(1) It is subject to registration with the Division under Article 3 of this
10 ~~Chapter~~Chapter, except for motor vehicles operated on a federal
11 installation as provided in sub-subdivision e. of subdivision (5) of this
12 subsection."

13 **SECTION 2.** G.S. 113A-57 is amended by adding a new subdivision to
14 read:

15 "(5) The land-disturbing activity shall be conducted in accordance with the
16 approved erosion and sedimentation control plan."

17 **SECTION 3.1.** G.S. 120-70.44 reads as rewritten:

18 "**§ 120-70.44. Additional powers.**

19 (a) The Environmental Review Commission, while in the discharge of official
20 duties, may exercise all the powers provided for under the provisions of G.S. 120-19,
21 and G.S. 120-19.1 through G.S. 120-19.4. The Environmental Review Commission may
22 meet at any time upon the call of either cochairman, whether or not the General
23 Assembly is in session. The Environmental Review Commission may meet in the
24 Legislative Building or the Legislative Office Building upon the approval of the
25 Legislative Services Commission.

26 (b) Notwithstanding any rule or resolution to the contrary, proposed legislation to
27 implement any recommendation of the Environmental Review Commission regarding
28 any study the Environmental Review Commission is authorized to undertake or any
29 report authorized or required to be made by or to the Environmental Review
30 Commission may be introduced and considered during any session of the General
31 Assembly.

32 (c) The Commission may contract for consultants or hire employees in
33 accordance with G.S. 120-32.02."

34 **SECTION 3.2.** G.S. 120-70.63 reads as rewritten:

35 "**§ 120-70.63. Additional powers.**

36 (a) The Commission, while in the discharge of official duties, may exercise all
37 the powers of a joint committee of the General Assembly provided for under the
38 provisions of G.S. 120-19, and G.S. 120-19.1 through G.S. 120-19.4. The Commission
39 may meet at any time upon the call of either cochair, whether or not the General
40 Assembly is in session. The Commission may meet in the Legislative Building or the
41 Legislative Office Building upon the approval of the Legislative Services Commission.

42 (b) The Commission may contract for consultants or hire employees in
43 accordance with G.S. 120-32.02."

44 **SECTION 4.** G.S. 130A-335.1(a) reads as rewritten:

1 "(a) ~~The manufacturer of each person who manufactures, installs, repairs, or~~
2 ~~pumps any~~ septic tank to be installed in this State as a part of a septic tank system that is
3 designed to treat 3,000 gallons per day or less of sewage shall provide an effluent filter
4 approved by the Department pursuant to the requirements of G.S. 130A-335, this
5 section, and rules adopted by the Commission. Any person who installs, repairs, or
6 pumps systems described in this section may purchase and install any approved filters
7 on the systems. The person who installs the ~~septic tank system~~ effluent filter shall install
8 the effluent filter as a part of the septic tank system in accordance with the
9 specifications provided by the manufacturer of the effluent filter. An effluent filter shall:

- 10 (1) Be made of materials that are capable of withstanding the corrosives to
11 which septic tank systems are normally subject.
- 12 (2) Prevent solid material larger than one-sixteenth of an inch, as
13 measured along the shortest axis of the material, from entering the
14 drainfield.
- 15 (3) Be designed and constructed to allow for routine maintenance.
- 16 (4) Be designed and constructed so as not to require maintenance more
17 frequently than once in any three-year period under normally
18 anticipated use."

19 20 **PART II. AMEND NATURAL RESOURCES LAWS**

21
22 **SECTION 5.** G.S. 106-581.1(3) reads as rewritten:

23 "(3) Dairying and the raising, management, care, and training of livestock,
24 including horses, bees, poultry, ~~deer, elk,~~ and other animals for
25 individual and public use, consumption, and marketing."

26 **SECTION 6.** G.S. 113-174.3(a) reads as rewritten:

27 "(a) License. – A person who operates a for hire boat may purchase a For Hire
28 Blanket CRFL issued by the ~~Division~~ Division for the for hire boat. A For Hire Blanket
29 CRFL authorizes all individuals on the for hire boat who do not hold a license issued
30 under this Article or Article 25A of this Chapter to engage in recreational fishing in
31 coastal fishing waters that are not joint fishing waters. A For Hire Blanket CRFL does
32 not authorize individuals to engage in recreational fishing in joint fishing waters or
33 inland fishing waters. ~~This license~~ A For Hire Blanket CRFL is valid for a period of one
34 year from the date of issuance. The fee for a For Hire Blanket CRFL is:

- 35 (1) Two hundred fifty dollars (\$250.00) for a vessel captained by an
36 individual who holds a certification from the United States Coast
37 Guard to carry six or fewer passengers.
- 38 (2) Three hundred fifty dollars (\$350.00) for a vessel captained by an
39 individual who holds a certification from the United States Coast
40 Guard to carry greater than six passengers."

41 **SECTION 7.** G.S. 113-271(d)(9) reads as rewritten:

42 "(9) Special Landholder and Guest Fishing License – \$50.00. This license
43 shall be issued only to the ~~owner or lessee~~ landholder of private
44 property bordering inland or joint fishing waters, ~~including public~~

1 ~~mountain trout waters, and entitles persons waters.~~ This license shall
2 entitle the landholder and guests of the landholder to fish from the
3 shore or any pier or dock originating from the property without any
4 additional fishing license. This license is applicable only to private
5 property and private docks and piers and is not valid for any public
6 property, pier, or dock nor for any private property, pier, or dock
7 operated for any commercial purpose whatsoever. ~~The guest~~
8 ~~fishing~~ This license shall not be in force unless displayed on the
9 premises of the property and only entitles fishing without additional
10 license to persons fishing from the licensed property and then only
11 when fishing within the private property lines. ~~The guest fishing~~ This
12 license is not transferable as to person or location. For purposes of this
13 subdivision, a guest is any individual invited by the landholder to fish
14 from the property at no charge. A charge includes any fee, assessment,
15 dues, rent, or other consideration which must be paid, whether directly
16 or indirectly, in order to be allowed to fish from the property,
17 regardless of the stated reason for such charge."

18 **SECTION 8.** G.S. 113-272.3(d) reads as rewritten:

19 "(d) In issuing lifetime ~~sportsman combination~~ licenses, the Wildlife Resources
20 Commission is authorized to adopt rules to establish a personalized series for certain
21 license types and to charge a five dollar (\$5.00) administrative fee, to be deposited in
22 the Wildlife Fund, to defray the cost of issuance of the personalized license."

23 **SECTION 9.** G.S. 113-351(c)(4)a. reads as rewritten:

24 "(4) Lifetime Unified Inland/Coastal Recreational Fishing Licenses. –
25 Except as provided in sub-subdivisions b. and c. of this subdivision, a
26 license issued under this subdivision is valid for the lifetime of the
27 licensee. A license issued under this subdivision authorizes the
28 licensee to fish with hook and line for all fish in all inland fishing
29 waters and joint fishing waters, including public mountain trout
30 waters, and to engage in recreational fishing in coastal fishing waters.

31 a. Resident Lifetime Unified Inland/Coastal Recreational Fishing
32 License. – \$450.00.

33"

34 **SECTION 10.** G.S. 143B-289.52(h) is repealed.

35 **SECTION 11.** G.S. 143B-289.52 is amended by adding two new
36 subsections to read:

37 "(i) Personal identifying information obtained by the Commission or Division
38 from the Wildlife Resources Commission pursuant to G.S. 143-254.5(b), from an
39 applicant for a license issued under G.S. 113-174.3 or G.S. 113-174.4, or from a person
40 complying with a biological data sampling or survey program under G.S. 113-174.1, is
41 confidential under G.S. 132-1.2 and shall only be disclosed as provided in this section.
42 The Commission or Division may disclose personal identifying information to any
43 officer, employee, or authorized representative of any federal, State, or local
44 government agency if disclosure is necessary to carry out a proper function of the

1 Commission, Division, or other agency. As used in this section, "personal identifying
2 information" includes a person's mailing address, residence address, date of birth,
3 telephone number, electronic mail address, drivers license number, and social security
4 number.

5 (j) The Commission may adopt rules to exempt individuals who participate in
6 organized fishing events held in coastal or joint fishing waters from recreational fishing
7 license requirements for the specified time and place of the event when the purpose of
8 the event is consistent with the conservation objectives of the Commission."
9

10 **PART III. CLARIFY AUTHORITY OF THE DEPARTMENT OF**
11 **ENVIRONMENT AND NATURAL RESOURCES TO IMPLEMENT THE**
12 **CHILDHOOD LEAD POISONING PREVENTION PROGRAM**
13

14 **SECTION 12.1.** G.S. 130A-4(c) reads as rewritten:

15 "(c) The Secretary of Environment and Natural Resources shall administer and
16 enforce the provisions of Part 4 of Article 5 and Articles 8, 9, 10, 11, and 12 of this
17 Chapter and the rules of the Commission."

18 **SECTION 12.2.** G.S. 130A-12 reads as rewritten:

19 **"§ 130A-12. Confidentiality of records.**

20 All records containing privileged patient medical ~~information~~ information,
21 information protected under 45 ~~C.F.R. Code of Federal Regulations~~ Code of Federal Regulations Parts 160 and 164
22 164, and information collected under the authority of Part 4 of Article 5 of this Chapter
23 that are in the possession of the Department of Health and Human Services, the
24 Department of Environment and Natural Resources, or local health departments shall be
25 confidential and shall not be public records pursuant to G.S. 132-1. Information
26 contained in the records may be disclosed only when disclosure is authorized or
27 required by State or federal law. Notwithstanding G.S. 8-53 or G.S. 130A-143, the
28 information contained in the records may be disclosed for purposes of treatment,
29 payment, or health care operations. For purposes of this section, the terms "treatment,"
30 "payment," and "health care operations" have the meanings given those terms in 45
31 ~~C.F.R. Code of Federal Regulations~~ Code of Federal Regulations § 164.501."

32 **SECTION 12.3.** G.S. 130A-17(b) reads as rewritten:

33 "(b) The Secretary of Environment and Natural Resources and a local health
34 director shall have the same rights enumerated in subsection (a) of this section to
35 enforce the provisions of Part 4 of Article 5 and Articles 8, 9, 10, 11, and 12 of this
36 Chapter."

37 **SECTION 12.4.** G.S. 130A-18(b) reads as rewritten:

38 "(b) The Secretary of Environment and Natural Resources and a local health
39 director shall have the same rights enumerated in subsection (a) of this section to
40 enforce the provisions of Part 4 of Article 5 and Articles 8, 9, 10, 11, and 12 of this
41 Chapter."

42 **SECTION 12.5.** G.S. 130A-19(b) reads as rewritten:

43 "(b) The Secretary of Environment and Natural Resources and a local health
44 director shall have the same rights enumerated in subsection (a) of this section to

1 enforce the provisions of Part 4 of Article 5 and Articles 8, 9, 10, 11, and 12 of this
2 Chapter."

3 **SECTION 12.6.** G.S. 130A-20(b) reads as rewritten:

4 "(b) The Secretary of Environment and Natural Resources and a local health
5 director shall have the same rights enumerated in subsection (a) of this section to
6 enforce the provisions of Part 4 of Article 5 and Articles 8, 9, 10, 11, and 12 of this
7 Chapter."
8

9 **PART IV. EFFECTIVE DATE**

10
11 **SECTION 13.** This act is effective when it becomes law.