

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1420\*

Short Title: Establish Erosion Plan Fees.

(Public)

Sponsors: Senators Tally; Sherron and Raynor.

Referred to: Environment and Natural Resources.

June 12, 1990

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH FEES FOR PROCESSING EROSION CONTROL PLAN APPROVALS UNDER THE SEDIMENTATION POLLUTION CONTROL ACT.

The General Assembly of North Carolina enacts:

Section 1. Article 4 of Chapter 113A of the General Statutes is amended by adding a new section to read:

**"§ 113A-54.2. Approval Fees.**

(a) The Commission shall have the power to establish a reasonable application fee schedule for the review and approval of erosion control plans pursuant to this Article. In determining the amount of the fee, the Commission shall consider the administrative and personnel costs incurred by the Department for reviewing such plans and for related compliance activities. The total of the fees authorized by the Commission pursuant to this section in any fiscal year shall not exceed the total administrative and personnel costs incurred by the Department for reviewing such plans and for related compliance activities in that fiscal year.

(b) A nonreverting account is established within the Department. The account will be used to:

(1) Defray the expenses of any project or program, including educational programs, supporting plan approval, and compliance activities under this Article; and

(2) Establish additional permanent positions, under Chapter 126 of the General Statutes, for plan approval and compliance activities under this Article. All approval fees collected pursuant to this section shall be deposited in this account.

1       (c) The Department shall make a biennial report to the Joint Legislative  
2 Commission on Governmental Operations and the Director of the Fiscal Research  
3 Division on the cost of the State's program to approve erosion control plans. The report  
4 shall include the fees established and collected pursuant to this section and any other  
5 information requested by the General Assembly.

6       (d) This section may not limit the existing authority of local programs approved  
7 pursuant to this Article to assess fees for the approval of erosion control plans."

8               Sec. 2. This act is effective upon ratification.