

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S

1

SENATE BILL 979

Short Title: Env. Cleanup Cost Reimbursements.

(Public)

Sponsors: Senator Carter.

Referred to: Agriculture/Environment/Natural Resources.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO ENSURE THAT FUNDS PAID TO THE STATE IN CONNECTION
WITH ENVIRONMENTAL CLEANUPS ARE CREDITED AS PROVIDED BY
THE APPLICABLE ENVIRONMENTAL LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-16.5 reads as rewritten:

"§ 143-16.5. Public Settlement Reserve Fund.

(a) The 'Public Settlement Reserve Fund' is established as a restricted reserve in the General Fund. Except if prohibited by order of the court and except as provided in G.S. ~~143-16.4, 143-16.4~~ and subsection (b) of this section, funds in excess of seventy-five thousand dollars (\$75,000) paid to the State or a State agency pursuant to a settlement agreement or final order or judgment of the court shall be deposited to the Public Settlement Reserve Fund. Funds shall be expended from the Public Settlement Reserve Fund only by appropriation by the General Assembly.

(b) Subsection (a) of this section does not apply to funds paid to the State or a State agency pursuant to a settlement agreement or final order or judgment of a court by or on behalf of a responsible party for any costs associated with the removal of any pollutant or waste, remediation or cleanup of environmental damage, restoration of an affected area, or any related costs that the State recovers pursuant to any environmental law. Funds to which this subsection applies shall be credited as provided in the

1 applicable environmental law. For purposes of this subsection, 'environmental law'
2 means any federal, State, or local law, code, statute, rule, regulation, or ordinance relating
3 to protection of the environment, public health, or natural resources."

4 Section 2. This section is effective retroactively to 15 November 1998.