A BILL TO BE ENTITLED

AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

PART I. BUSINESS REGULATION

EMPLOYMENT STATUS OF FRANCHISES

SECTION 1.1. Article 2A of Chapter 95 of the General Statutes is amended by adding a new section to read:

"§ 95-25.24A. Franchisee status.

Neither a franchisee nor a franchisee's employee shall be deemed to be an employee of the franchisor for any purposes, including, but not limited to, this Article and Chapters 96 and 97 of the General Statutes. For purposes of this section, "franchisee" and "franchisor" have the same definitions as set out in 16 C.F.R. § 436.1."

PART II. STATE AND LOCAL GOVERNMENT REGULATION

PERSONALLY IDENTIFIABLE INFORMATION OF PUBLIC UTILITY CUSTOMERS

SECTION 2.1. Chapter 132 of the General Statutes is amended by adding a new section to read:


(a) Except as otherwise provided in this section, a public record, as defined by G.S. 132-1, does not include personally identifiable information obtained by the Public Staff of the Utilities Commission from customers requesting assistance from the Public Staff regarding rate or service disputes with a public utility, as defined by G.S. 62-3(23).

(b) The Public Staff may disclose personally identifiable information of a customer to the public utility involved in the matter for the purpose of investigating such disputes.

(c) Such personally identifiable information is a public record to the extent disclosed by the customer in a complaint filed with the Commission pursuant to G.S. 62-73.

(d) For purposes of this section, "personally identifiable information" means the customer's name, physical address, e-mail address, telephone number, and public utility account number."

WATER AND SEWER BILLING BY LESSORS
SECTION 2.2.(a) G.S. 42-42.1 reads as rewritten:

"§ 42-42.1. Water and electricity conservation.

(a) For the purpose of encouraging water and electricity conservation, pursuant to a written rental agreement, a landlord may charge for the cost of providing water or sewer service to tenants who occupy the same contiguous premises pursuant to G.S. 62-110(g) or electric service pursuant to G.S. 62-110(h).

(b) The landlord may not disconnect or terminate the tenant's electric service or water or sewer services due to the tenant's nonpayment of the amount due for electric service or water or sewer services."

SECTION 2.2.(b) G.S. 62-110(g) reads as rewritten:

"(g) In addition to the authority to issue a certificate of public convenience and necessity and establish rates otherwise granted in this Chapter, for the purpose of encouraging water conservation, the Commission may, consistent with the public interest, adopt procedures that allow a lessor to charge for the costs of providing water or sewer service to persons who occupy the same contiguous premises. The following provisions shall apply:

(1) All charges for water or sewer service shall be based on the user's metered consumption of water, which shall be determined by metered measurement of all water consumed. The rate charged by the lessor shall not exceed the unit consumption rate charged by the supplier of the service.

(1a) If the contiguous leased premises were contiguous dwelling units built prior to 1989, and the lessor determines that the measurement of the tenant's total water usage is impractical or not economical, the lessor may allocate the cost for water and sewer service to the tenant using equipment that measures the tenant's hot water usage. In that case, each tenant shall be billed a percentage of the landlord's water and sewer costs for water usage in the dwelling units based upon the hot water used in the tenant's dwelling unit. The percentage of total water usage allocated for each dwelling unit shall be equal to that dwelling unit's individually submetered hot water usage divided by all submetered hot water usage in all dwelling units. The following conditions apply to billing for water and sewer service under this subdivision:

a. A lessor shall not utilize a ratio utility billing system or other allocation billing system that does not rely on individually submetered hot water usage to determine the allocation of water and sewer costs.

b. The lessor shall not include in a tenant's bill the cost of water and sewer service used in common areas or water loss due to leaks in the lessor's water mains. A lessor shall not bill or attempt to collect for excess water usage resulting from a plumbing malfunction or other condition that is not known to the tenant or that has been reported to the lessor.

c. All equipment used to measure water usage shall comply with guidelines promulgated by the American Water Works Association.

d. The lessor shall maintain records for a minimum of 12 months that demonstrate how each tenant's allocated costs were calculated for water and sewer service. Upon advanced written notice to the lessor, a tenant may inspect the records during reasonable business hours.

e. Bills for water and sewer service sent by the lessor to the tenant shall contain all the following information:

1. The amount of water and sewer services allocated to the tenant during the billing period.

2. The method used to determine the amount of water and sewer services allocated to the tenant.

3. Beginning and ending dates for the billing period.
4. The past-due date, which shall not be less than 25 days after the bill is mailed.

5. A local or toll-free telephone number and address that the tenant can use to obtain more information about the bill.

(2) The lessor may charge a reasonable administrative fee for providing water or sewer service not to exceed the maximum administrative fee authorized by the Commission.

(3) The Commission shall issue rules to define contiguous premises and to implement this subsection. In issuing the rule to define contiguous premises, the Commission shall consider contiguous premises where manufactured homes, as defined in G.S. 143-145(7), or spaces for manufactured homes are rented.

(4) The Commission shall develop an application that lessors must submit for authority to charge for water or sewer service. The form shall include all of the following:
   a. A description of the applicant and the property to be served.
   b. A description of the proposed billing method and billing statements.
   c. The schedule of rates charged to the applicant by the supplier.
   d. The schedule of rates the applicant proposes to charge the applicant’s customers.
   e. The administrative fee proposed to be charged by the applicant.
   f. The name of and contact information for the applicant and its agents.
   g. The name of and contact information for the supplying water or sewer system.
   h. Any additional information that the Commission may require.

(4a) The Commission shall develop an application that lessors must submit for authority to charge for water or sewer service at single-family homes that allows the applicant to serve multiple homes in the State subject to single Commission approval. The form shall include all of the following:
   a. A description of the applicant and a listing of the address of all the properties to be served, which shall be updated annually with the Commission.
   b. A description of the proposed billing method and billing statements.
   c. The administrative fee proposed to be charged by the applicant.
   d. The name and contact information for the applicant and its agents.
   e. Any additional information the Commission may require.

(5) The Commission shall approve or disapprove an application within 30 days of the filing of a completed application with the Commission. If the Commission has not issued an order disapproving a completed application within 30 days, the application shall be deemed approved.

(6) A provider of water or sewer service under this subsection may increase the rate for service so long as the rate does not exceed the unit consumption rate charged by the supplier of the service. A provider of water or sewer service under this subsection may change the administrative fee so long as the administrative fee does not exceed the maximum administrative fee authorized by the Commission. In order to change the rate or administrative fee, the provider shall file a notice of revised schedule of rates and fees with the Commission. The Commission may prescribe the form by which the provider files a notice of a revised schedule of rates and fees under this subsection. The form shall include all of the following:
   a. The current schedule of the unit consumption rates charged by the provider.
b. The schedule of rates charged by the supplier to the provider that the provider proposes to pass through to the provider's customers.

c. The schedule of the unit consumption rates proposed to be charged by the provider.

d. The current administrative fee charged by the provider, if applicable.

e. The administrative fee proposed to be charged by the provider.

(7) A notification of revised schedule of rates and fees shall be presumed valid and shall be allowed to become effective upon 14 days notice to the Commission, unless otherwise suspended or disapproved by order issued within 14 days after filing.

(8) Notwithstanding any other provision of this Chapter, the Commission shall determine the extent to which the services shall be regulated and, to the extent necessary to protect the public interest, regulate the terms, conditions, and rates that may be charged for the services. Nothing in this subsection shall be construed to alter the rights, obligations, or remedies of persons providing water or sewer services and their customers under any other provision of law.

(9) A provider of water or sewer service under this subsection shall not be required to file annual reports pursuant to G.S. 62-36 or to furnish a bond pursuant to G.S. 62-110.3."

**REZONING/SIMULTANEOUS COMPREHENSIVE PLAN AMENDMENT**

**SECTION 2.4.(a)** G.S. 153A-340 is amended by adding a new subsection to read:

"(o) The county shall deem an affirmative vote to amend the zoning ordinance as a simultaneous amendment to the comprehensive plan. If a county has adopted a unified development ordinance, the county shall deem an affirmative vote to amend the zoning ordinance a simultaneous amendment to the unified development ordinance."

**SECTION 2.4.(b)** G.S. 160A-381 is amended by adding a new subsection to read:

"(k) The city shall deem an affirmative vote to amend the zoning ordinance as a simultaneous amendment to the comprehensive plan. If a city has adopted a unified development ordinance, the city shall deem an affirmative vote to amend the zoning ordinance a simultaneous amendment to the unified development ordinance."

**SECTION 2.4.(c)** This section becomes effective October 1, 2016.

**PARENT PARCEL/SUBDIVISION CLARIFICATION**

**SECTION 2.5.(a)** G.S. 153A-335 reads as rewritten:


(a) For purposes of this Part, "subdivision" means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions are created for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this Part:

(1) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision regulations.

(2) The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.

(3) The public acquisition by purchase of strips of land for widening or opening streets or for public transportation system corridors."
(4) The division of a tract in single ownership the entire area of which is no greater
than two acres into not more than three lots, if no street right-of-way dedication
is involved and if the resultant lots are equal to or exceed the standards of the
county as shown by its subdivision regulations.

(5) The division of a tract into parcels in accordance with the terms of a probated
will or in accordance with intestate succession under Chapter 29 of the General
Statutes.

(b) A county may provide for expedited review of specified classes of subdivisions.

(c) For the division of a tract or parcel of land in single ownership the entire area of which
is greater than five acres into not more than three lots, if not exempted under subdivision (a)(2) of
this section and a dedicated means of ingress and egress is provided to all resultant lots, the county
may require only a plat for recordation."

SECTION 2.5.(b) G.S. 160A-376 reads as rewritten:

"§ 160A-376. Definition.

(a) For the purpose of this Part, "subdivision" means all divisions of a tract or parcel of
land into two or more lots, building sites, or other divisions when any one or more of those
divisions is created for the purpose of sale or building development (whether immediate or future)
and shall include all divisions of land involving the dedication of a new street or a change in
existing streets; but the following shall not be included within this definition nor be subject to the
regulations authorized by this Part:

(1) The combination or recombination of portions of previously subdivided and
recorded lots where the total number of lots is not increased and the resultant
lots are equal to or exceed the standards of the municipality as shown in its
subdivision regulations.

(2) The division of land into parcels greater than 10 acres where no street
right-of-way dedication is involved.

(3) The public acquisition by purchase of strips of land for the widening or opening
of streets or for public transportation system corridors.

(4) The division of a tract in single ownership whose entire area is no greater than
two acres into not more than three lots, where no street right-of-way dedication
is involved and where the resultant lots are equal to or exceed the standards of
the municipality, as shown in its subdivision regulations.

(5) The division of a tract into parcels in accordance with the terms of a probated
will or in accordance with intestate succession under Chapter 29 of the General
Statutes.

(b) A city may provide for expedited review of specified classes of subdivisions."

(c) For the division of a tract or parcel of land in single ownership the entire area of which
is greater than five acres into not more than three lots, if not exempted under subdivision (a)(2) of
this section and a dedicated means of ingress and egress is provided to all resultant lots, the city
may require only a plat for recordation."
plain view from a place to which the public is invited. This section does not
limit the remedy of injunction for conditions that are actually injurious or
dangerous to the public health or safety."

SECTION 2.6(b) This section becomes effective August 1, 2016, and applies to
actions commenced on or after that date.

PROGRAM EVALUATION TO STUDY NONPROFIT CONTRACTING

SECTION 2.7(a) The Joint Legislative Program Evaluation Oversight Committee
may amend the 2016-2017 Program Evaluation Division work plan to direct the Division to study
State law and internal agency policies and procedures for delivery of public services through State
grants and contracts to nonprofit organizations. The study shall include, but not be limited to, how
nonprofit organizations are compensated for actual, reasonable, documented indirect costs, and the
extent to which any underpayment for indirect costs reduces the efficiency or effectiveness of the
delivery of public services. The study shall propose improvements to State law and internal
agency policies and procedures, if necessary, to remove unnecessary impediments to the efficient
and effective delivery of public services, including, but not limited to, late execution of contracts,
late payments, and late reimbursements. In conducting the study, the Division may require each
State agency to provide data maintained by the agency to determine any of the following:

(1) The timeliness of delivery and execution of contracts.
(2) The timeliness of payment for services that have been delivered.
(3) The extent to which nonprofit contractors or grantees are reimbursed for their
    indirect costs.
(4) The contact information for all nonprofit grantees and contractors.

SECTION 2.7(b) If the study is conducted, the Division shall submit a report on the
results of the study to the Joint Legislative Program Evaluation Oversight Committee and the Joint
Legislative Commission on Governmental Operations no later than September 1, 2017.

SECTION 2.7(c) This section becomes effective July 1, 2016.

RENAME AND AMEND THE BOARD OF REFRIGERATION EXAMINERS

SECTION 2.9(a) Article 5 of Chapter 87 of the General Statutes reads as rewritten:

"Article 5.

§ 87-52. State Board of Commercial Refrigeration Examiners; appointment; term of office.
(a) For the purpose of carrying out the provisions of this Article, the State Board of
Commercial Refrigeration Examiners is created, consisting of seven members appointed by the
Governor to serve seven-year staggered terms. The Board shall consist of one member who is a
wholesaler or a manufacturer of refrigeration equipment; one member from an engineering school
of The University of North Carolina, one member from the Division of Public Health of The
University of North Carolina, two licensed refrigeration contractors, one member who has no ties
with the construction industry to represent the interest of the public at large, and one member with
an engineering background in refrigeration of:

(1) One member who is a wholesaler or a manufacturer of refrigeration equipment.
(2) One member from an accredited engineering school located in this State.
(3) One member from the field of public health with an environmental science
    background from an accredited college or university located in this State.
(4) Two members who are licensed refrigeration contractors.
(5) One member who has no ties with the construction industry to represent the
    interest of the public at large.
(6) One member with an engineering background in refrigeration.

(b) The term of office of one member shall expire each year. Vacancies occurring during a
term shall be filled by appointment of the Governor for the unexpired term. Whenever the term
"Board" is used in this Article, it means the State Board of Commercial Refrigeration Examiners.

No Board member shall serve more than one complete consecutive term.

"..."

§ 87-58. Definitions; contractors licensed by Board; examinations.

(a) As applied The provisions of this Article shall not repeal any wording, phrase, or paragraph as set forth in Article 2 of this Chapter. The following definitions apply in this Article:

1. Commercial refrigeration contractor. – "refrigeration trade or business" is defined to include all persons, firms, or corporations engaged in the installation, maintenance, servicing and repairing of refrigerating machinery, equipment, devices and components relating thereto and within limits as set forth in the codes, laws and regulations governing refrigeration installation, maintenance, service and repairs within the State of North Carolina or any of its political subdivisions. The provisions of this Article shall not repeal any wording, phrase, or paragraph as set forth in Article 2 of Chapter 87 of the General Statutes.

2. Industrial refrigeration contractor. – All persons, firms, or corporations engaged in commercial refrigeration contracting with the use of ammonia as a refrigerant gas.

3. Transport refrigeration contractor. – All persons, firms, or corporations engaged in the business of installation, maintenance, repairing, and servicing of transport refrigeration.

(a1) This Article shall not apply to any of the following:

1. The installation of self-contained commercial refrigeration units equipped with an Original Equipment Manufacturer (OEM) molded plug that does not require the opening of service valves or replacement of lamps, fuses, and door gaskets.

2. The installation and servicing of domestic household self-contained refrigeration appliances equipped with an OEM molded plug connected to suitable receptacles which have been permanently installed and do not require the opening of service valves.

3. Employees of persons, firms, or corporations or persons, firms or corporations, not engaged in refrigeration contracting as herein defined, that install, maintain and service their own refrigerating machinery, equipment and devices.

4. Any person, firm or corporation engaged in the business of selling, repairing and installing any comfort cooling devices or systems.

5. The replacement of lamps, fuses, and door gaskets.

(b) The term "refrigeration contractor" means a person, firm or corporation engaged in the business of refrigeration contracting. The Board shall establish and issue the following licenses:

1. A Class I license shall be required for any person engaged in the business of commercial refrigeration contracting.

2. A Class II license shall be required for any person engaged in the business of industrial refrigeration contracting.

3. A Class III license shall be required for any person engaged in the business of repair, maintenance, and servicing of commercial equipment.

4. A Class IV license shall be required for any person engaged in the business of transport refrigeration contracting.

(b1) The term "transport refrigeration contractor" means a person, firm, or corporation engaged in the business of installation, maintenance, servicing, and repairing of transport refrigeration.
(c) Any person, firm or corporation who for valuable consideration engages in the refrigeration business or trade as herein defined shall be deemed and held to be in the business of refrigeration contracting.

(d) In order to protect the public health, comfort and safety, the Board shall prescribe the standard of experience to be required of an applicant for license and shall give an examination designed to ascertain the technical and practical knowledge of the applicant concerning the analysis of plans and specifications, estimating cost, fundamentals of installation and design as they pertain to refrigeration; and as a result of the examination, the Board shall issue a certificate of license in refrigeration to applicants who pass the required examination and a license shall be obtained in accordance with the provisions of this Article, before any person, firm or corporation shall engage in, or offer to engage in the business of refrigeration contracting. The Board shall prescribe standards for and issue licenses for refrigeration contracting and for transport refrigeration contracting. A transport refrigeration contractor license is a specialty license that authorizes the licensee to engage only in transport refrigeration contracting. A refrigeration contractor licensee is authorized to engage in transport refrigeration and all other aspects of refrigeration contracting— all license classifications.

Each application for examination shall be accompanied by a check, post-office money order or cash in the amount of the annual license fee required by this Article. Regular examinations shall be given in the Board's office by appointment.

(k) Upon application and payment of the fee for license renewal provided in G.S. 87-64, the Board shall issue a certificate of license to any licensee whose business activities require a Class I or Class II license if that licensee had an established place of business and was licensed pursuant to this Article prior to January 1, 2016.

§ 87-64. Examination and license fees; annual renewal.

(a) Each applicant for a license by examination shall pay to the Board of Commercial Refrigeration Examiners a nonrefundable examination fee in an amount to be established by the Board not to exceed the sum of forty-one hundred dollars ($40.00). In the event the applicant successfully passes the examination, the examination fee shall be applied to the license fee required of licensees for the current year in which the examination was taken and passed ($100.00).

(b) The license of every person licensed under the provisions of this statute shall be annually renewed. Effective January 1, 2012, the Board may require, as a prerequisite to the annual renewal of a license, that licensees complete continuing education courses in subjects related to refrigeration contracting to ensure the safe and proper installation of commercial and transport refrigeration work and equipment. On or before November 1 of each year the Board shall cause to be mailed an application for renewal of license to every person who has received from the Board a license to engage in the refrigeration business, as heretofore defined. On or before January 1 of each year every licensed person who desires to continue in the refrigeration business shall forward to the Board a nonrefundable renewal fee in an amount to be established by the Board not to exceed forty-eighty dollars ($40.00) ($80.00) together with the application for renewal. Upon receipt of the application and renewal fee the Board shall issue a renewal certificate for the current year. Failure to renew the license annually shall automatically result in a forfeiture of the right to engage in the refrigeration business.

(c) Any licensee who allows the license to lapse may be reinstated by the Board upon payment of a nonrefundable late renewal fee in an amount to be established by the Board not to exceed seventy-five one hundred sixty dollars ($75.00) ($160.00) together with the application for renewal. Any person who fails to renew a license for two consecutive years shall be required to take and pass the examination prescribed by the Board for new applicants before being licensed to engage further in the refrigeration business.
"..."

**SECTION 2.9.(b)** This section becomes effective January 1, 2017, and applies to applications submitted and Board membership appointments on or after that date.

**AMEND DEFINITION OF ANTIQUE AUTOMOBILE**

**SECTION 2.10.** G.S. 105-330.9 reads as rewritten:

"§ 105-330.9. Antique automobiles.

(a) Definition. – For the purpose of this section, the term "antique automobile" means a motor vehicle that meets all of the following conditions:

(1) It is registered with the Division of Motor Vehicles and has an historic vehicle special license plate under G.S. 20-79.4.

(2) It is maintained primarily for use in exhibitions, club activities, parades, and other public interest functions.

(3) It is used only occasionally for other purposes.

(4) It is owned by an individual or owned directly or indirectly through one or more pass-through entities, by an individual.

(5) It is used by the owner for a purpose other than the production of income and is not used in connection with a business.

(b) Classification. – Antique automobiles are designated a special class of property under Article V, Sec. 2(2) of the North Carolina Constitution and must be assessed for taxation in accordance with this section. An antique automobile must be assessed at the lower of its true value or five hundred dollars ($500.00)."

**COPIES OF CERTAIN PUBLIC RECORDS**

**SECTION 2.11.(a)** G.S. 132-6.2 reads as rewritten:

"§ 132-6.2. Provisions for copies of public records; fees.

(a) Persons requesting copies of public records may elect to obtain them in any and all media in which the public agency is capable of providing them. No request for copies of public records in a particular medium shall be denied on the grounds that the custodian has made or prefers to make the public records available in another medium. The public agency may assess different fees for different media as prescribed by law.

(a1) A public agency may satisfy the requirement to provide access to public records and computer databases under G.S. 132-9 by making those public records or computer databases available online in a format that allows a person to download the public record or computer database to obtain a copy. A public agency that provides access to public records or computer databases under this subsection is not required to provide copies through any other method or medium. If a public agency, as a service to the requester, voluntarily elects to provide copies by another method or medium, the public agency may negotiate a reasonable charge for the service with the requester.

(b) Persons requesting copies of public records may request that the copies be certified or uncertified. The fees for certifying copies of public records shall be as provided by law. Except as otherwise provided by law, no public agency shall charge a fee for an uncertified copy of a public record that exceeds the actual cost to the public agency of making the copy. For purposes of this subsection, "actual cost" is limited to direct, chargeable costs related to the reproduction of a public record as determined by generally accepted accounting principles and does not include costs that would have been incurred by the public agency if a request to reproduce a public record had not been made. Notwithstanding the provisions of this subsection, if the request is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or if producing the record in the medium requested results in a greater use of information technology resources than that established by the agency for reproduction of the volume of information requested, then the agency may charge, in
addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the actual cost incurred for such extensive use of information technology resources or the labor costs of the personnel providing the services, or for a greater use of information technology resources that is actually incurred by the agency or attributable to the agency. If anyone requesting public information from any public agency is charged a fee that the requester believes to be unfair or unreasonable, the requester may ask the State Chief Information Officer or his designee to mediate the dispute.

(c) Persons requesting copies of computer databases may be required to make or submit such requests in writing. Custodians of public records shall respond to all such requests as promptly as possible. If the request is granted, the copies shall be provided as soon as reasonably possible. If the request is denied, the denial shall be accompanied by an explanation of the basis for the denial. If asked to do so, the person denying the request shall, as promptly as possible, reduce the explanation for the denial to writing.

(d) Nothing in this section shall be construed to require a public agency to respond to requests for copies of public records outside of its usual business hours.

(e) Nothing in this section shall be construed to require a public agency to respond to a request for a copy of a public record by creating or compiling a record that does not exist. If a public agency, as a service to the requester, voluntarily elects to create or compile a record, it may negotiate a reasonable charge for the service with the requester. Nothing in this section shall be construed to require a public agency to put into electronic medium a record that is not kept in electronic medium.

(f) For purposes of this section, the following definitions shall apply:

(1) Computer database. – As defined in G.S. 132-6.1.

(2) Media or Medium. – A particular form or means of storing information."

SECTION 2.11.(b) The State Chief Information Officer, working with the State Controller, the Office of State Budget and Management, the Local Government Commission, The University of North Carolina, The North Carolina Community College System, The School of Government at the University of North Carolina Chapel Hill, the North Carolina League of Municipalities, the North Carolina School Boards Association, and the North Carolina County Commissioners Association, shall report, including any recommendations, to the 2017 Regular Session of the General Assembly on or before February 1, 2017, regarding the development and use of computer databases by State and local agencies and the need for public access to those public records.

SECTION 2.11.(c) This section becomes effective July 1, 2016.

SPECIFY LOCATION OF LIEUTENANT GOVERNOR'S OFFICE

SECTION 2.12. G.S. 143A-5 reads as rewritten:


The Lieutenant Governor shall maintain an office in a State building, the Hawkins-Hartness House located at 310 North Blount Street in the City of Raleigh which office shall be open during normal working hours throughout the year. The Lieutenant Governor shall serve as President of the Senate and perform such additional duties as the Governor or General Assembly may assign to him. This section shall become effective January 1, 1973."

CLARIFY THAT DOT STORMWATER REQUIREMENTS ARE APPLICABLE TO STATE ROAD CONSTRUCTION UNDERTAKEN BY PRIVATE PARTIES

SECTION 2.14. Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-28.6B. Applicable stormwater regulation.

For the purposes of stormwater regulation, any construction undertaken by a private party pursuant to the provisions of G.S. 136-18(17), 136-18(27), 136-18(29), 136-18(29a), 136-28.6, or
BUILDING CODE STUDY TO INCREASE EFFICIENCY AND IDENTIFY DUPLICATIVE INSPECTIONS

SECTION 2.15.(a) As part of its current six-year update process, the North Carolina Building Code Council shall examine the North Carolina Building Codes for the purposes of developing a more streamlined code and to assure that code provisions are contained in only one code volume. The Council shall also (i) give specific guidance as to which inspector shall have enforcement jurisdiction over each code provision and (ii) make all necessary changes to ensure that this directive is incorporated in the next edition of the North Carolina Building Code.


SECTION 2.15.(c) This section is effective when it becomes law.

PART III. AGRICULTURE, ENERGY, ENVIRONMENT, AND NATURAL RESOURCES REGULATION

DIRECT DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO INSPECT RENDERING PLANTS

SECTION 3.1.(a) G.S. 106-168.5 is repealed.

SECTION 3.1.(b) G.S. 106-168.6 reads as rewritten:

"§ 106-168.6. Inspection by committee; Inspection; certificate of specific findings. The committee upon notification by Upon receipt of an application for license, the Commissioner or the Commissioner's designee shall promptly inspect the plans, specifications, and selected site in the case of proposed rendering plants and shall inspect the buildings, grounds, and equipment of established rendering plants. If the Commissioner or the Commissioner's designee finds that the plans, specifications, and selected site in the case of proposed plants, or the buildings, grounds, and equipment in the case of established plants, comply with the requirements of this Article and the rules and regulations promulgated by the Commissioner not inconsistent therewith, under the authority of this Article, the Commissioner shall certify the findings in writing and forward same to the Commissioner. If there is a failure in any respect to meet such requirements, the Commissioner or the Commissioner's designee shall notify the applicant in writing of such deficiencies and the committee shall, within a reasonable time to be determined by the Commissioner, make a second inspection. If the specified defects are remedied, the Commissioner or the Commissioner's designee shall thereupon certify the findings in writing to the Commissioner. Not more than two inspections shall be required of the committee under any one application."

SECTION 3.1.(c) G.S. 106-168.7 reads as rewritten:

"§ 106-168.7. Issuance of license. Upon receipt of the certificate of compliance from the committee, certification in accordance with G.S. 106-168.6, the Commissioner shall issue a license to the applicant to conduct rendering operations as specified in the application. A license shall be valid until revoked for cause as hereinafter provided."

SECTION 3.1.(d) G.S. 106-168.12 reads as rewritten:

The Commissioner of Agriculture is hereby authorized to make and establish reasonable rules and regulations, not inconsistent with the provisions of this Article, after consulting the committee, for the proper administration and enforcement thereof."

SECTION 3.1.(e) G.S. 106-168.13 reads as rewritten:


Failure to comply with the provisions of this Article or rules and regulations not inconsistent therewith adopted pursuant to this Article shall be cause of revocation of license, if such failure shall not be remedied within a reasonable time after notice to the licensee. Any person whose license is revoked may reapply for a license in the manner provided in this Article for an initial application, except that the Commissioner shall not be required to cause the rendering plant and equipment of the applicant to be inspected by the committee until the expiration of 30 days from the date of revocation."

SOLID WASTE AMENDMENTS

SECTION 3.3.(a) Section 4.9(a) of S.L. 2015-286 reads as rewritten:

"SECTION 4.9(a) Section 14.20(a) of S.L. 2015-241 reads as rewritten: is rewritten to read:

...."

SECTION 3.3.(b) Section 4.9(b) of S.L. 2015-286 reads as rewritten:

"SECTION 4.9(b) Section 14.20(a)14.20(c) of S.L. 2015-241 reads as rewritten: is rewritten to read:

...."

SECTION 3.3.(c) Section 4.9(c) of S.L. 2015-286 reads as rewritten:

"SECTION 4.9(c) Section 14.20(d) of S.L. 2015-241 reads as rewritten: is rewritten to read:

...."

SECTION 3.3.(d) Section 4.9(d) of S.L. 2015-286 reads as rewritten:

"SECTION 4.9(d) Section 14.20(f) of S.L. 2015-241 reads as rewritten: is rewritten to read:

...."

SECTION 3.3.(e) Section 14.20(e) of S.L. 2015-241 reads as rewritten:

"SECTION 14.20(e) After July 1, 2016, the annual fee due pursuant to G.S. 130A-295.8A(d1), as enacted by Section 14.20(c) of this act, for existing sanitary landfills and transfer stations with a valid permit issued before the date this act becomes effective is equal to the applicable annual fee for the facility as set forth in G.S. 130A-295.8A(d1), less a permittee fee credit. A permittee fee credit exists when the life-of-site permit fee amount is greater than the time-limited permit fee amount. The amount of the permittee fee credit shall be calculated by (i) subtracting the time-limited permit fee amount from the life-of-site permit fee amount due for the same period of time and (ii) multiplying the difference by a fraction, the numerator of which is the number of years remaining in the facility's time-limited permit and the denominator of which is the total number of years covered by the facility's time-limited permit. The amount of the permittee fee credit shall be allocated in equal annual installments over the number of years that constitute the facility's remaining life-of-site, as determined by the Department, unless the Department accelerates, in its sole discretion, the use of the credit over a shorter period of time. For purposes of this subsection, the following definitions apply:

(1) Life-of-site permit fee amount. – The amount equal to the sum of all annual fees that would be due under the fee structure set forth in G.S. 130A-295.8A(d1), as enacted by Section 14.20(c) of this act, during the cycle of the facility's permit in effect on July 1, 2016.

(2) Time-limited permit fee amount. – The amount equal to the sum of the application fee or renewal fee, whichever is applicable, and all annual fees paid or to be paid pursuant to subsections (c) and (d) of G.S. 130A-295.8A.
G.S. 130A-295.8(d1), as repealed by Section 14.20(c) of this act, during the cycle of the facility's permit in effect on July 1, 2016.

The Department shall adopt rules to implement this subsection."

**SECTION 3.4.(a)** Section 14.20(f) of S.L. 2015-241, as amended by Section 4.9(d) of S.L. 2015-286, reads as rewritten:

"**SECTION 14.20.(f)** This section becomes effective October 1, 2015. G.S. 130A-294(b1)(2), as amended by subsection (a) of this section, applies to franchise agreements agreements (i) executed on or after October 1, 2015, (ii) executed on or before October 1, 2015, only if all parties to a valid and operative franchise agreement consent to modify the agreement for the purpose of extending the agreement's duration to the life-of-site of the landfill for which the agreement was executed. The remainder of G.S. 130A-294, as amended by subsection (a) of this section, and G.S. 130A-295.8, as amended by subsection (c) of this section, apply to (i) existing sanitary landfills and transfer stations, with a valid permit issued before the date this act becomes effective, on July 1, 2016, at which point a permittee may choose to apply for a life-of-site permit pursuant to G.S. 130A-294(a2), as amended by Section 14.20(b) of this act, or may choose to apply for a life-of-site permit for the facility when the facility's permit is next subject to renewal after July 1, 2016, (ii) new sanitary landfills and transfer stations, for applications submitted on or after July 1, 2016, and (iii) applications for sanitary landfills or transfer stations submitted before July 1, 2015, and pending on the date this act becomes law shall be evaluated by the Department based on the applicable laws that were in effect on July 1, 2015, and the Department shall not delay in processing such permit applications in consideration of changes made by this act, but such landfills and transfer stations shall be eligible for issuance of life-of-site permits pursuant to G.S. 130A-294(a2), as amended by Section 14.20(b) of this act, on July 1, 2016, at which point a permittee may choose to apply for a life-of-site permit pursuant to G.S. 130A-294(a2), as amended by Section 14.20(b) of this act, or may choose to apply for a life-of-site permit for the facility when the facility's permit is next subject to renewal after July 1, 2016."

**SECTION 3.4.(b)** G.S. 130A-294(b1)(2) reads as rewritten:

"(2) A person who intends to apply for a new permit for a sanitary landfill shall obtain, prior to applying for a permit, a franchise for the operation of the sanitary landfill from each local government having jurisdiction over any part of the land on which the sanitary landfill and its appurtenances are located or to be located. A local government may adopt a franchise ordinance under G.S. 153A-136 or G.S. 160A-319. A franchise granted for a sanitary landfill shall (i) be granted for the life-of-site of the landfill and shall landfill, but for a period not to exceed 60 years, and (ii) include all of the following:

a. A statement of the population to be served, including a description of the geographic area.

b. A description of the volume and characteristics of the waste stream.

c. A projection of the useful life of the sanitary landfill.


e. The procedures to be followed for governmental oversight and regulation of the fees and rates to be charged by facilities subject to the franchise for waste generated in the jurisdiction of the franchising entity.

f. A facility plan for the sanitary landfill that shall include the boundaries of the proposed facility, proposed development of the facility site, the boundaries of all waste disposal units, final elevations and capacity of all waste disposal units, the amount of waste to be received per day in tons, the total waste disposal capacity of the sanitary landfill in tons, a description of environmental controls, and a description of any other..."
waste management activities to be conducted at the facility. In addition, the facility plan shall show the proposed location of soil borrow areas, leachate facilities, and all other facilities and infrastructure, including ingress and egress to the facility."

SECTION 3.4.(c) G.S. 160A-319(a) reads as rewritten:

(a) A city shall have authority to grant upon reasonable terms franchises for a telephone system and any of the enterprises listed in G.S. 160A-311, except a cable television system. A franchise granted by a city authorizes the operation of the franchised activity within the city. No franchise shall be granted for a period of more than 60 years, except including a franchise granted to a sanitary landfill for the life-of-site of the landfill pursuant to G.S. 130A-294(b1): provided, however, that a franchise for solid waste collection or disposal systems and facilities, other than sanitary landfills, shall not be granted for a period of more than 30 years. Except as otherwise provided by law, when a city operates an enterprise, or upon granting a franchise, a city may by ordinance make it unlawful to operate an enterprise without a franchise."

SECTION 3.4.(d) G.S. 153A-136 reads as rewritten:

"§ 153A-136. Regulation of solid wastes.
(a) A county may by ordinance regulate the storage, collection, transportation, use, disposal, and other disposition of solid wastes. Such an ordinance may:

(3) Grant a franchise to one or more persons for the exclusive right to commercially collect or dispose of solid wastes within all or a defined portion of the county and prohibit any other person from commercially collecting or disposing of solid wastes in that area. The board of commissioners may set the terms of any franchise, except that no franchise may be granted for a period exceeding 30 years, nor may any franchise; provided, however, no franchise shall be granted for a period of more than 30 years, except for a franchise granted to a sanitary landfill for the life-of-site of the landfill pursuant to G.S. 130A-294(b1), which may not exceed 60 years. No franchise by its terms may impair the authority of the board of commissioners to regulate fees as authorized by this section.

"..."

SECTION 3.4.(e) Section 3.4 of this act is effective retroactively to July 1, 2015, and applies to franchise agreements (i) executed on or after October 1, 2015, and (ii) executed on or before October 1, 2015, only if all parties to the agreement consent to modify the agreement for the purpose of extending the agreement's duration of the life-of-site of the landfill for which the agreement was executed.

AUTHORIZE THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS TO REVIEW AND COMMENT ON MILITARY-RELATED PERMIT CRITERIA

SECTION 3.6.(a) Article 21C of Chapter 143 of the General Statutes reads as rewritten:

"Article 21C.
"Permitting of Wind Energy Facilities.
"...

"§ 143-215.118. Permit application scoping meeting and notice.
(a) Scoping Meeting. – No less than 60 days prior to filing an application for a permit for a proposed wind energy facility or proposed wind energy facility expansion, the applicant shall request the scheduling of a scoping meeting between the applicant and the Department. The scoping meeting shall be held no less than 30 days prior to filing an application for a permit for a proposed wind energy facility or proposed wind energy facility expansion. The applicant and the
Department shall review the permit for the proposed wind energy facility or proposed facility expansion at the scoping meeting.

§ 143-215.119. Permit application requirements; fees; notice of receipt of completed permit; public hearing; public comment.

(a) Permit Requirements. – A person applying for a permit for a proposed wind energy facility or proposed wind energy facility expansion shall include all of the following in an application for the permit:

(1) A narrative description of the proposed wind energy facility or proposed wind energy facility expansion.

(2) A map showing the location of the proposed wind energy facility or proposed wind energy facility expansion that identifies the specific location of each turbine.

(3) A copy of a deed, purchase agreement, lease agreement, or other legal instrument demonstrating the right to construct, expand, or otherwise develop a wind energy facility on the property.

(4) Identification by name and address of property owners adjacent to living within one-half mile of the proposed wind energy facility or proposed wind energy facility expansion. The applicant shall notify every property owner identified pursuant to this subdivision by registered or certified mail or by any means authorized by G.S. 1A-1, Rule 4, in a form approved by the Department. The notice shall include all of the following:

a. The location of the proposed wind energy facility or proposed wind energy facility expansion and the specific location of each turbine proposed to be located within one-half mile of the boundary of the adjacent property owner’s property.

b. A description of the proposed wind energy facility or proposed wind energy facility expansion.

§ 143-215.120. Criteria for permit approval; time frame; permit conditions; other approvals required.

(a) Permit Approval. – The Department shall approve an application for a permit for a proposed wind energy facility or proposed wind energy facility expansion unless the Department finds any one or more of the following:

(1) Construction or operation of the proposed wind energy facility or proposed wind energy facility expansion would be inconsistent with or violate rules adopted by the Department, the Department of Military and Veterans Affairs, or any other provision of law.

(2) Construction or operation of the proposed wind energy facility or proposed wind energy facility expansion would encroach upon or would otherwise have a significant adverse impact on the mission, training, or operations of any major military installation or branch of military in North Carolina and result in a detriment to continued military presence in the State. In its evaluation, the Department may consider whether the proposed wind energy facility or proposed wind energy facility expansion would cause interference with air navigation routes, air traffic control areas, military training routes, or radar based on information submitted by the applicant pursuant to subdivisions (5) and (6) of subsection (a) of G.S. 143-215.119, and any information received by the Department pursuant to subdivision (2) of subsection (d) of G.S. 143-215.119.

...

The Department of Military and Veterans Affairs shall consult with representatives of the major military installations to review information regarding military air navigation routes, air traffic control areas, military training routes, special-use air space, radar, or other potentially affected military operations at least once per year and shall provide such information to the Department. The Department shall provide relevant information on civil air navigation or military air navigation routes, air traffic control areas, military training routes, special-use air space, radar, or other potentially affected military operations to permit applicants as requested.


The Department of Military and Veterans Affairs and the Environmental Management Commission shall adopt any rules necessary pertaining to their respective jurisdictions for the implementation of this Article. In adopting rules, the Environmental Management Commission shall consult with the Coastal Resources Commission to ensure that the development of statewide permitting requirements is consistent with and in consideration of the characteristics unique to the coastal area of the State to the maximum extent practicable.

SECTION 3.6.(b) Subsection (a) of this section becomes effective when this act becomes law and applies to applications for permits for a proposed wind energy facility or a proposed wind energy facility expansion submitted on or after that date.

SECTION 3.6.(c) Article 9G of Chapter 143 of the General Statutes reads as rewritten:

"Article 9G.

"Military Lands Protection.

"§ 143-151.70. Short title.

This Article shall be known as the Military Lands Protection Act of 2013.

"§ 143-151.71. Definitions.

Within the meaning of this Article:

(1) "Area surrounding major military installations" is the area that extends five miles beyond the boundary of a major military installation and may include incorporated and unincorporated areas of counties and municipalities.


(3) "Commissioner" means the Commissioner of Insurance.

(4) "Construction" includes reconstruction, alteration, or expansion.

(5) "Major military installation" means Fort Bragg, Pope Army Airfield, Camp Lejeune Marine Corps Air Base, New River Marine Corps Air Station, Cherry Point Marine Corps Air Station, Military Ocean Terminal at Sunny Point, the United States Coast Guard Air Station at Elizabeth City, Naval Support Activity Northwest, Air Route Surveillance Radar (ARSR-4) at Fort Fisher, and Seymour Johnson Air Force Base, in its own right and as the responsible entity for the Dare County Bombing Range, and any facility located within the State that is subject to the installations' oversight and control.

(6) "Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, the State of North Carolina and its agencies and political subdivisions, or other legal entity.

(6a) "Secretary" means the Secretary of the Department of Administration.

(6a)(6b) "State Construction Office" means the State Construction Office of the Department of Administration.

(7) "Tall buildings or structures" means any building, structure, or unit within a multiunit building with a vertical height of more than 200 feet measured from
the top of the foundation of the building, structure, or unit and the uppermost point of the building, structure, or unit. "Tall buildings or structures" do not include buildings and structures listed individually or as contributing resources within a district listed in the National Register of Historic Places.

"§ 143-151.72. Legislative findings."

North Carolina has a vested economic interest in preserving, maintaining, and sustaining land uses that are compatible with military activities at major military installations. Development located proximate to military installations has been identified as a critical issue impacting the long-term viability of the military in this State. Additional concerns associated with development include loss of access to air space and coastal and marine areas and radio frequency encroachment. The construction of tall buildings or structures in areas surrounding major military installations is of utmost concern to the State as those buildings and structures may interfere with or impede the military's ability to carry out activities that are vital to its function and future presence in North Carolina.

"§ 143-151.73. Certain buildings and structures prohibited without endorsement."

(a) No county or city may authorize the construction of and no person may construct a tall building or structure in any area surrounding a major military installation in this State, unless the county or city is in receipt of either a letter of endorsement issued to the person by the State Construction Office pursuant to G.S. 143–151.75 or proof of the State Construction Office's failure to act within the time allowed pursuant to G.S. 143-151.75.

(b) No county or city may authorize the provision of the following utility services to any building or structure constructed in violation of subsection (a) of this section: electricity, telephone, gas, water, sewer, or septic system.

"§ 143-151.74. Exemptions from applicability."

(a) Wind energy facilities and wind energy facility expansions, as those terms are defined in Article 21C of Chapter 143 of the General Statutes, that are subject to the applicable permit requirements of that Chapter shall be exempt from obtaining the endorsement required by this Article.

"§ 143-151.75. Endorsement for proposed tall buildings or structures required."

(a) No person shall undertake construction of a tall building or structure in any area surrounding a major military installation in this State without either first obtaining the endorsement from the State Construction Office or proof of the State Construction Office's failure to act within the time allowed.

(b) A person seeking endorsement for a proposed tall building or structure in any area surrounding a major military installation in this State shall provide written notice of the intent to seek endorsement to the base commander of the major military installation that is located within five miles of the proposed tall building or structure and shall provide all of the following to the State Construction Office:

(1) Identification of the major military installation and the base commander of the installation that is located within five miles of the proposed tall building or structure.

(2) A copy of the written notice sent to the base commander of the installation identified in subdivision (1) of this subsection that is located within five miles of the proposed tall building or structure.

(3) A written "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration pursuant to Subpart D of Part 77 of Title 14 of the Code of Federal Regulations (January 1, 2012, Edition) for the proposed tall building or structure.

(c) After receipt of the information provided by the applicant pursuant to subsection (b) of this section, the State Construction Office shall, in writing, request a written
statement concerning the proposed tall building or structure from the base commander of the 
major military installation identified in subdivision (1) of subsection (b) of this section. The State 
Construction Office shall request that the following information be included in the written 
statement from the base commander:

(1) A determination whether the location of the proposed tall building or structure 
is within a protected area that surrounds the major military installation.

(2) A determination whether any activities of the installation may be adversely 
affected by the proposed tall building or structure. A detailed description of the 
potential adverse effects, including frequency disturbances and physical 
obstructions, shall accompany the determination required by this subdivision.

d) The State Construction Office shall not endorse a tall building or structure if the State 
Construction Office finds any one or more of the following:

(1) The proposed tall building or structure would encroach upon or otherwise 
interfere with the mission, training, or operations of any major military 
installation in North Carolina and result in a detriment to continued military 
presence in the State. In its evaluation, the State Construction Office may 
consider whether the proposed tall building or structure would cause 
interference with air navigation routes, air traffic control areas, military training 
routes, or radar based on the written statement received from a base commander 
as provided in subsection (c) of this section and written comments received by 
members of affected communities. Provided, however, if the State Construction 
Office does not receive a written statement requested pursuant to subsection (c) 
of this section within 45 days of issuance of the request to the base commander, 
the State Construction Office shall deem the tall building or structure as 
endorsed/denied by the base commander.

(2) The State Construction Office is not in receipt of the written "Determination of 
No Hazard to Air Navigation" issued to the person by the Federal Aviation 
Administration required pursuant to subdivision (3) of subsection (b) of this 
section.

e) The State Construction Office shall make a final decision on the request for 
endorsement of a tall building or structure within 90 days from the date on which the State 
Construction Office requested the written statement from the base commander of the major 
military installation identified in subdivision (1) of subsection (b) of this section. If the State 
Construction Office determines that a request for a tall building or structure fails to meet the 
requirements for endorsement under this section, the State Construction Office shall deny the 
request. The State Construction Office shall notify the person of the denial, and the notice shall 
include a written statement of the reasons for the denial. If the State Construction Office fails to 
act within any time period set forth in this section, the person may treat the failure to act as a 
decision to endorse/deny endorsement of the tall building or structure.

f) The State Construction Office may meet by telephone, video, or Internet conference, so 
long as consistent with applicable law regarding public meetings, to make a decision on a request 
for endorsement for a tall building or structure pursuant to subsection (e) of this section.

§ 143-151.76. Application to existing tall buildings and structures.

G.S. 143-151.73 applies to tall buildings or structures that existed in an area surrounding major 
military installations upon the effective date of this Article on October 1, 2013, as follows:

(1) No reconstruction, alteration, or expansion may aggravate or intensify a 
violation by an existing building or structure that did not comply with 
G.S. 143-151.73 upon its effective date on October 1, 2013.

(2) No reconstruction, alteration, or expansion may cause or create a violation by 
an existing building or structure that did comply with G.S. 143-151.73 upon its 
effective date on October 1, 2013.
§ 143-151.77. Enforcement and penalties.

(a) In addition to injunctive relief, as provided by subsection (e) of this section, the Commissioner Secretary may assess and collect a civil penalty against any person who violates any of the provisions of this Article or rules adopted pursuant to this Article, as provided in this section. The maximum civil penalty for a violation is five thousand dollars ($5,000). A civil penalty may be assessed from the date of the violation. Each day of a continuing violation may constitute a separate violation.

(b) The Commissioner Secretary shall determine the amount of the civil penalty and shall notify the person who is assessed the civil penalty of the amount of the penalty and the reason for assessing the penalty. The notice of assessment shall be served by any means authorized under Rule 4 of G.S. 1A-1 and shall direct the violator to either pay the assessment or contest the assessment within 30 calendar days by filing a petition for a contested case under Article 3 of Chapter 150B of the General Statutes. If a violator does not pay a civil penalty assessed by the Commissioner Secretary within 30 calendar days after it is due, the Commissioner Secretary shall request that the Attorney General institute a civil action to recover the amount of the assessment. The civil action may be brought in the superior court of any county where the violation occurred. A civil action must be filed within one year of the date the assessment was due. An assessment that is not contested is due when the violator is served with a notice of assessment. An assessment that is contested is due at the conclusion of the administrative and judicial review of the assessment.

(c) In determining the amount of the penalty, the Commissioner Secretary shall consider the degree and extent of harm caused by the violation, the cost of rectifying the damage, the amount of money the violator saved by noncompliance, whether the violation was committed willfully, the prior record of the violator in complying or failing to comply with this Article, and the action of the person to remedy the violation.

(d) The clear proceeds of civil penalties collected by the Commissioner Secretary under this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(e) Whenever the Secretary has reasonable cause to believe that any person has violated or is threatening to violate any of the provisions of this Article, a rule implementing this Article, or any of the terms of any endorsement issued pursuant to this Article, the State Construction Office may, either before or after the institution of any other action or proceeding authorized by this Article, request the Attorney General to institute a civil action in the name of the State upon the request of the State Construction Office for injunctive relief to restrain the violation or threatened violation and for such other and further relief in the premises as the court shall deem proper. The Attorney General may institute such action in the superior court of the county in which the violation occurred or may occur or, in the Attorney General’s discretion, in the superior court of the county in which the person responsible for the violation or threatened violation resides or has the person’s principal place of business. Upon a determination by the court that the alleged violation of the provisions of this Article or the regulations of the State Construction Office has occurred or is threatened, the court shall grant the relief necessary to prevent or abate the violation or threatened violation. Neither the institution of the action nor any of the proceedings thereon shall relieve any party to such proceedings from any penalty prescribed for violation of this Article.

SECTION 3.6.(d) Subsection (c) of this section is effective when this act becomes law and applies to requests for endorsements to construct tall buildings or structures submitted on or after that date.

SECTION 3.7.(a) Article 21C of Chapter 143 of the General Statutes, as amended by Section 3.6(a) of this act, reads as rewritten:

"Article 21C.

"Permitting of Wind Energy Facilities."
§ 143-215.117. Permit preapplication site evaluation meeting; notice; preapplication package requirements.

(a) Permit Preapplication Site Evaluation Meeting. – No less than 180 days prior to filing an application for a permit to construct, operate, or expand a wind energy facility, a person shall request a preapplication site evaluation meeting to be held between the applicant and the Department and the Department of Military and Veterans Affairs. The preapplication site evaluation meeting shall be held no less than 120 days prior to filing an application for a permit to construct, operate, or expand a wind energy facility and may be used by the participants to:

1. Conduct a preliminary evaluation of the site or sites for the proposed wind energy facility or wind energy facility expansion. The preliminary evaluation of the proposed wind energy facility or proposed wind energy facility expansion shall determine if the site or sites:
   a. Pose serious risk to civil air navigation or military air navigation routes, air traffic control areas, military training routes, special-use air space, radar, or other potentially affected military operations.
   b. Pose serious risk to natural resources and uses, including to species of concern or their habitats.

2. Identify areas where proposed construction or expansion activities pose minimal risk of interference with civil air navigation or military air navigation routes, air traffic control areas, military training routes, special-use air space, radar, or other potentially affected military operations.

3. Identify areas where proposed construction or expansion activities pose minimal risk to natural resources and uses, including avian, bat, and endangered and threatened species.

(b) Permit Preapplication Package. – No less than 45 days prior to the date of the permit preapplication site evaluation meeting scheduled in accordance with subsection (a) of this section, the applicant for a wind energy facility or wind energy facility expansion shall submit a preapplication package to the Department, the Department of Military and Veterans Affairs. To the extent that any documents contain trade secrets or confidential business information, those portions of the documents shall not be subject to disclosure under the North Carolina Public Records Act. The preapplication package shall include all of the following:

§ 143-215.118. Permit application scoping meeting and notice.

(a) Scoping Meeting. – No less than 60 days prior to filing an application for a permit for a proposed wind energy facility or proposed wind energy facility expansion, the applicant shall request the scheduling of a scoping meeting between the applicant and the Department, the Department of Military and Veterans Affairs. The scoping meeting shall be held no less than 30 days prior to filing an application for a permit for a proposed wind energy facility or proposed wind energy facility expansion.

§ 143-215.119. Permit application requirements; fees; notice of receipt of completed permit; public hearing; public comment.

(a) Permit Requirements. – A person applying for a permit for a proposed wind energy facility or proposed wind energy facility expansion shall include all of the following in an application for the permit:

(f) Public Hearing and Comment. – The Department shall hold a public hearing in each county in which the wind energy facility or wind energy facility expansion is proposed to be
located within 75 days of receipt of a completed permit application. The Department shall provide notice including the time and location of the public hearing in a newspaper of general circulation in each applicable county. The notice of public hearing shall be published for at least two consecutive weeks beginning no less than 45 days prior to the scheduled date of the hearing. The notice shall provide that any comments on the proposed wind energy facility or proposed wind energy facility expansion should be submitted to the Department by a specified date, not less than 15 days from the date of the newspaper publication of the notice or 15 days after distribution of the mailed notice, whichever is later. No less than 30 days prior to the scheduled public hearing, the Department shall provide written notice of the hearing to:

3. The commanding military officer of any potentially affected major military installation or the commanding military officer's designee.
4. The board of commissioners for each county and the governing body of each municipality with jurisdictions over areas in which a potentially affected major military installation is located.
5. The Department of Military and Veterans Affairs.

"§ 143-215.120. Criteria for permit approval; time frame; permit conditions; other approvals required.

(a) Permit Approval. – The Department shall approve an application for a permit for a proposed wind energy facility or proposed wind energy facility expansion unless the Department finds any one or more of the following:

1. Construction or operation of the proposed wind energy facility or proposed wind energy facility expansion would be inconsistent with or violate rules adopted by the Department, the Department of Military and Veterans Affairs, or any other provision of law.

2. Construction. As evidenced by receipt of notice from the Department of Military and Veterans Affairs issued pursuant to G.S. 143-215.120A(b), construction or operation of the proposed wind energy facility or proposed wind energy facility expansion would encroach upon or would otherwise have a significant adverse impact on the mission, training, or operations of any major military installation or branch of military in North Carolina and result in a detriment to continued military presence in the State. In its evaluation, the Department may consider whether the proposed wind energy facility or proposed wind energy facility expansion would cause interference with air navigation routes, air traffic control areas, military training routes, or radar based on information submitted by the applicant pursuant to subdivisions (5) and (6) of subsection (a) of G.S. 143-215.119, and any information received by the Department pursuant to subdivision (2) of subsection (d) of G.S. 143-215.119.

...
make a final decision on a permit application within 30 days of receipt of the requested information. If the Department determines that an application for a wind energy facility or a wind energy facility expansion fails to meet the requirements for a permit under this section, the Department shall deny the application, and the application shall be returned to the applicant accompanied by a written statement of the reasons for the denial and any modifications to the permit application that would make the application acceptable. If the Department fails to act within the time period set forth in this subsection, the applicant may treat the failure to act as a denial of the permit and may challenge the denial as provided under Chapter 150B of the General Statutes.

"§ 143-215.120A. Certification required from the Department of Military and Veterans Affairs.

(a) The Department of Military and Veterans Affairs shall issue a certification for a proposed wind energy facility or proposed wind energy facility expansion unless the Department of Military and Veterans Affairs finds construction or operation of the proposed wind energy facility or wind energy facility expansion would encroach upon or would otherwise have a significant adverse impact on the mission, training, or operations of any major military installation or branch of military in North Carolina and result in a detriment to continued military presence in the State. In its evaluation, the Department of Military and Veterans Affairs may consider whether the proposed wind energy facility or proposed wind energy facility expansion would cause interference with air navigation routes, air traffic control areas, military training routes, or radar based on information submitted by the applicant pursuant to subdivisions (5) and (6) of subsection (a) of G.S. 143-215.119, and any information received by the Department pursuant to subdivision (2) of subsection (d) of G.S. 143-215.119.

(b) If the Department of Military and Veterans Affairs determines that it cannot issue a certification for a proposed wind energy facility or proposed wind energy facility expansion based on the criteria set forth in subsection (a) of this section, the Department of Military and Veterans Affairs shall notify the applicant and the Department within 10 days of such decision, which shall include findings of fact that document the basis for the decision.

...."

SECTION 3.7.(b) Subsection (a) of this section becomes effective October 1, 2018, and applies to applications for permits for a proposed wind energy facility or a proposed wind energy facility expansion submitted on or after that date.

SECTION 3.7.(c) The Revisor of Statutes shall make the following recodifications in connection with the transfer of the Military Lands Protection Act of 2013:

(1) Article 9G of Chapter 143 of the General Statutes (Military Lands Protection) is recodified into Part 12 of Article 14 of Chapter 143B of the General Statutes with the sections to be numbered as G.S. 143B-1315A through G.S. 143B-1315H, respectively.

SECTION 3.7.(d) Part 12 of Article 14 of Chapter 143B of the General Statutes, as recodified by subsection (c) of this section and as amended by Section 3.6(c) of this act, reads as rewritten:

"Article 9G. Part 12, Military Lands Protection.

§ 143B-1315A. Short title.
This Article Part shall be known as the Military Lands Protection Act of 2013.

§ 143B-1315B. Definitions.
Within the meaning of this Article Part:

(1) "Area surrounding major military installations" is the area that extends five miles beyond the boundary of a major military installation and may include incorporated and unincorporated areas of counties and municipalities.

(3) Repealed.

(4) "Construction" includes reconstruction, alteration, or expansion.

(4a) "Department" means the Department of Military and Veterans Affairs.

(5) "Major military installation" means Fort Bragg, Pope Army Airfield, Camp Lejeune Marine Corps Air Base, New River Marine Corps Air Station, Cherry Point Marine Corps Air Station, Military Ocean Terminal at Sunny Point, the United States Coast Guard Air Station at Elizabeth City, Naval Support Activity Northwest, Air Route Surveillance Radar (ARSR-4) at Fort Fisher, and Seymour Johnson Air Force Base, in its own right and as the responsible entity for the Dare County Bombing Range, and any facility located within the State that is subject to the installations' oversight and control.

(6) "Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, the State of North Carolina and its agencies and political subdivisions, or other legal entity.

(6a) "State Construction Office" means the State Construction Office of the Department of Administration.

(6b) "Secretary" means the Secretary of the Department of Administration.

(7) "Tall buildings or structures" means any building, structure, or unit within a multiunit building with a vertical height of more than 200 feet (200') measured from the top of the foundation of the building, structure, or unit and the uppermost point of the building, structure, or unit. "Tall buildings or structures" do not include buildings and structures listed individually or as contributing resources within a district listed in the National Register of Historic Places.

"§ 143B-1315D. Certain buildings and structures prohibited without endorsement.

(a) No county or city may authorize the construction of and no person may construct a tall building or structure in any area surrounding a major military installation in this State, unless the county or city is in receipt of either a letter of endorsement issued to the person by the State Construction Office pursuant to G.S. 143-151.75.G.S. 143B-1315F.

(b) No county or city may authorize the provision of the following utility services to any building or structure constructed in violation of subsection (a) of this section: electricity, telephone, gas, water, sewer, or septic system.

"§ 143B-1315F. Endorsement for proposed tall buildings or structures required.

(a) No person shall undertake construction of a tall building or structure in any area surrounding a major military installation in this State without first obtaining the endorsement from the State Construction Office.

(b) A person seeking endorsement for a proposed tall building or structure in any area surrounding a major military installation in this State shall provide written notice of the intent to seek endorsement to the base commander of the major military installation that is located within five miles of the proposed tall building or structure and shall provide all of the following to the State Construction Office:

(1) Identification of the major military installation and the base commander of the installation that is located within five miles of the proposed tall building or structure.

(2) A copy of the written notice sent to the base commander of the installation identified in subdivision (1) of this subsection that is located within five miles of the proposed tall building or structure.
(3) A written "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration pursuant to Subpart D of Part 77 of Title 14 of the Code of Federal Regulations (January 1, 2012, Edition) for the proposed tall building or structure.

(c) After receipt of the information provided by the person pursuant to subsection (b) of this section, the State Construction Office shall, in writing, request a written statement concerning the proposed tall building or structure from the base commander of the major military installation identified in subdivision (1) of subsection (b) of this section. The State Construction Office shall request that the following information be included in the written statement from the base commander:

(1) A determination whether the location of the proposed tall building or structure is within an area that surrounds the major military installation.

(2) A determination whether any activities of the installation may be adversely affected by the proposed tall building or structure. A detailed description of the potential adverse effects, including frequency disturbances and physical obstructions, shall accompany the determination required by this subdivision.

(d) The State Construction Office shall not endorse a tall building or structure if the State Construction Office finds any one or more of the following:

(1) The proposed tall building or structure would encroach upon or otherwise interfere with the mission, training, or operations of any major military installation in North Carolina and result in a detriment to continued military presence in the State. In its evaluation, the State Construction Office may consider whether the proposed tall building or structure would cause interference with air navigation routes, air traffic control areas, military training routes, or radar based on the written statement received from a base commander as provided in subsection (c) of this section and written comments received by members of affected communities. Provided, however, if the State Construction Office does not receive a written statement requested pursuant to subsection (c) of this section within 45 days of issuance of the request to the base commander, the State Construction Office shall deem the tall building or structure as denied by the base commander.

(2) The State Construction Office is not in receipt of the written "Determination of No Hazard to Air Navigation" issued to the person by the Federal Aviation Administration required pursuant to subdivision (3) of subsection (b) of this section.

(e) The State Construction Office shall make a final decision on the request for endorsement of a tall building or structure within 90 days from the date on which the State Construction Office requested the written statement from the base commander of the major military installation identified in subdivision (1) of subsection (b) of this section. If the State Construction Office determines that a request for a tall building or structure fails to meet the requirements for endorsement under this section, the State Construction Office shall deny the request. The State Construction Office shall notify the person of the denial, and the notice shall include a written statement of the reasons for the denial. If the State Construction Office fails to act within any time period set forth in this section, the person may treat the failure to act as a decision to deny endorsement of the tall building or structure.

"§ 143B-1315G. Application to existing tall buildings and structures."

G.S. 143-151.73G.S. 143B-1315D applies to tall buildings or structures that existed in an area surrounding major military installations on October 1, 2013, as follows:
1. No reconstruction, alteration, or expansion may aggravate or intensify a violation by an existing building or structure that did not comply with G.S. 143-151.73-G.S. 143B-1315D on October 1, 2013.

2. No reconstruction, alteration, or expansion may cause or create a violation by an existing building or structure that did comply with G.S. 143-151.73-G.S. 143B-1315D on October 1, 2013.

"§ 143B-1315H. Enforcement and penalties.

... (e) Whenever the Secretary has reasonable cause to believe that any person has violated or is threatening to violate any of the provisions of this Article, a rule implementing this Article, or any of the terms of any endorsement issued pursuant to this Article, the State Construction Office may, either before or after the institution of any other action or proceeding authorized by this Article, request the Attorney General to institute a civil action in the name of the State upon the request of the State Construction Office for injunctive relief to restrain the violation or threatened violation and for such other and further relief in the premises as the court shall deem proper. The Attorney General may institute such action in the superior court of the county in which the violation occurred or may occur or, in the Attorney General's discretion, in the superior court of the county in which the person responsible for the violation or threatened violation resides or has the person's principal place of business. Upon a determination by the court that the alleged violation of the provisions of this Article or the regulations of the State Construction Office has occurred or is threatened, the court shall grant the relief necessary to prevent or abate the violation or threatened violation. Neither the institution of the action nor any of the proceedings thereon shall relieve any party to such proceedings from any penalty prescribed for violation of this Article."

SECTION 3.7.(e) Subsections (c) and (d) of this section become effective October 1, 2018, and apply to requests for endorsements to construct tall buildings or structures submitted on or after that date.

SECTION 3.8.(a) G.S. 153A-323 reads as rewritten:

"§ 153A-323. Procedure for adopting, amending, or repealing ordinances under this Article and Chapter 160A, Article 19.

(a) Before adopting, amending, or repealing any ordinance authorized by this Article or Chapter 160A, Article 19, the board of commissioners shall hold a public hearing on the ordinance or amendment. The board shall cause notice of the hearing to be published once a week for two successive calendar weeks. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

(b) If the adoption or modification of the ordinance would result in any of the changes listed in this subsection and those changes would be located five miles or less from the perimeter boundary of a military base, the board of commissioners shall provide written notice of the proposed changes by certified mail, or by any other written means reasonably designed to provide actual notice, to the Department of Military and Veterans Affairs and the commander of the military base or the commander's designee not less than 10 days nor more than 25 days before the date fixed for the public hearing. Prior to the date of the public hearing, the Department of Military and Veterans Affairs and the military may provide comments or analysis to the board regarding the compatibility of the proposed changes with military operations at the base. If the board does not receive a response within 30 days of the notice, the Department of Military and Veterans Affairs and the military is deemed to waive the comment period. If the Department of Military and Veterans Affairs and the military provide comments or analysis regarding the compatibility of the proposed ordinance or amendment with military operations at the base, the board of commissioners shall take the comments and analysis into consideration before making a final determination on the ordinance. The proposed changes requiring notice are:
SECTION 3.8.(b) G.S. 160A-364 reads as rewritten:


(a) Before adopting, amending, or repealing any ordinance authorized by this Article, the city council shall hold a public hearing on it. A notice of the public hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

(b) If the adoption or modification of the ordinance would result in any of the changes listed in this subsection and those changes would be located five miles or less from the perimeter boundary of a military base, the governing body of the local government shall provide written notice of the proposed changes by certified mail, or by any other written means reasonably designed to provide actual notice, to the Department of Military and Veterans Affairs and the commander of the military base or the commander's designee not less than 10 days nor more than 25 days before the date fixed for the public hearing. Prior to the date of the public hearing, the Department of Military and Veterans Affairs and the military may provide comments or analysis to the board [governing body of the local government] regarding the compatibility of the proposed changes with military operations at the base. If the board [governing body of the local government] does not receive a response within 30 days of the notice, the Department of Military and Veterans Affairs and the military are deemed to waive the comment period. If the Department of Military and Veterans Affairs and the military provides comments or analysis regarding the compatibility of the proposed ordinance or amendment with military operations at the base, the governing body of the local government shall take the comments and analysis into consideration before making a final determination on the ordinance. The proposed changes requiring notice are:

(1) Changes to the zoning map.
(2) Changes that affect the permitted uses of land.
(3) Changes relating to telecommunications towers or windmills, towers and tall buildings and structures, as that term is defined in Article 9G of Chapter 143 of the General Statutes.
(3a) Changes relating to wind energy facilities or wind energy facility expansions as those terms are defined in Article 21C of Chapter 143 of the General Statutes.
(4) Changes to proposed new major subdivision preliminary plats.
(5) An increase in the size of an approved subdivision by more than fifty percent (50%) of the subdivision's total land area including developed and undeveloped land."

SECTION 3.8.(c) G.S. 143B-1121 is amended by adding a new subdivision to read:

"§ 143B-1211. Powers and duties of the Department of Military and Veterans Affairs.

It shall be the duty of the Department of Military and Veterans Affairs to do all of the following:
(25) Maintain, and make available to the public, accurate maps of areas surrounding major military installations, military training routes, and military operating areas, as defined in G.S. 143B-1315B, that are subject to the provisions of Part 12 of this Article.

SECTION 3.8.(d) G.S. 143-135.29 is repealed.

SECTION 3.8.(e) G.S. 143B-1121 is amended by adding two new subdivisions to read:

§ 143B-1211. Powers and duties of the Department of Military and Veterans Affairs.

It shall be the duty of the Department of Military and Veterans Affairs to do all of the following:

... (26) Issue certifications for a proposed wind energy facility or a proposed wind energy facility expansion as provided in G.S. 143-215.120A and otherwise assist in administration of the provisions of Article 21C of Chapter 143 of the General Statutes.

(27) Issue endorsements for the construction of proposed tall buildings or structures as provided in G.S. 143B-1315F and otherwise assist in the administration and implementation of the provisions of Part 12 of this Article.

SECTION 3.8.(f) Subsection (e) of this section becomes effective October 1, 2018, and applies to certifications and endorsements issued on or after that date. Subsections (a) through (d) of this section are effective when this act becomes law.

DEQ TO STUDY RIPARIAN BUFFERS FOR INTERMITTENT STREAMS

SECTION 3.9. The Department of Environmental Quality shall study whether the size of riparian buffers required for intermittent streams should be adjusted and whether the allowable activities within the buffers should be modified. The Department shall report the results of the study, including any recommendations, to the Environmental Review Commission no later than December 1, 2016.

TRANSFER OF CERTAIN CONSERVATION EASEMENTS

SECTION 3.10. G.S. 143-214.12 reads as rewritten:


(a) Ecosystem Restoration Fund. – The Ecosystem Restoration Fund is established as a nonreverting fund within the Department. The Fund shall be treated as a special trust fund and shall be credited with interest by the State Treasurer pursuant to G.S. 147-69.2 and G.S. 147-69.3. The Ecosystem Restoration Fund shall provide a repository for monetary contributions and donations or dedications of interests in real property to promote projects for the restoration, enhancement, preservation, or creation of wetlands and riparian areas and for payments made in lieu of compensatory mitigation as described in subsection (b) of this section. No funds shall be expended from this Fund for any purpose other than those directly contributing to the acquisition, perpetual maintenance, enhancement, restoration, or creation of wetlands and riparian areas in accordance with the basinwide plan as described in G.S. 143-214.10. The cost of acquisition includes a payment in lieu of ad valorem taxes required under G.S. 146-22.3 when the Department is the State agency making the acquisition.

(a1) The Department may distribute funds from the Ecosystem Restoration Fund directly to a federal or State agency, a local government, or a private, nonprofit conservation organization to acquire, manage, and maintain real property or an interest in real property for the purposes set out in subsection (a) of this section. A recipient of funds under this subsection shall grant a conservation easement in the real property or interest in real property acquired with the funds to the Department in a form that is acceptable to the Department.
this subsection acquires a conservation easement or interest in real property appurtenant to a restoration project delivered to the Division of Mitigation Services, the recipient, upon approval from the Department, may directly transfer the conservation easement or real property interest to another governmental agency or a Department approved third party. The Department may convey real property or an interest in real property that has been acquired under the Division of Mitigation Services to a federal or State agency, a local government, or a private, nonprofit conservation organization to acquire, manage, and maintain real property or an interest in real property for the purposes set out in subsection (a) of this section. A grantee of real property or an interest in real property under this subsection shall grant a conservation easement in the real property or interest to the Department in a form that is acceptable to the Department.

(b) Authorized Methods of Payment. – A person subject to a permit or authorization issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344 may contribute to the Division of Mitigation Services in order to comply with conditions to, or terms of, the permit or authorization if participation in the Division of Mitigation Services will meet the mitigation requirements of the United States Army Corps of Engineers. The Department shall, at the discretion of the applicant, accept payment into the Ecosystem Restoration Fund in lieu of other compensatory mitigation requirements of any authorizations issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344 if the contributions will meet the mitigation requirements of the United States Army Corps of Engineers. Payment may be made in the form of monetary contributions according to a fee schedule established by the Environmental Management Commission or in the form of donations of real property provided that the property is approved by the Department as a suitable site consistent with the basinwide wetlands restoration plan.

(c) Accounting of Payments. – The Department shall provide an itemized statement that accounts for each payment into the Fund. The statement shall include the expenses and activities financed by the payment."

PART IV. ELIMINATE, CONSOLIDATE, AND AMEND ENVIRONMENTAL REPORTS

ELIMINATE ANNUAL REPORT ON MINING ACCOUNT PURSUANT TO THE MINING ACT OF 1971 BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 4.1. G.S. 74-54.1(c) is repealed.

ELIMINATE ANNUAL REPORT ON THE IMPLEMENTATION OF THE SUSTAINABLE ENERGY EFFICIENT BUILDINGS PROGRAM BY THE DEPARTMENT OF ADMINISTRATION

SECTION 4.2.(a) G.S. 143-135.39(f) and (g) are repealed.

SECTION 4.2.(b) G.S. 143-135.40(b) is repealed.

ELIMINATE QUARTERLY REPORT ON SYSTEMWIDE MUNICIPAL AND DOMESTIC WASTEWATER COLLECTION SYSTEM PERMIT PROGRAM BY THE ENVIRONMENTAL MANAGEMENT COMMISSION

SECTION 4.3. G.S. 143-215.9B reads as rewritten:

"§ 143-215.9B. Systemwide municipal and domestic wastewater collection system permit program report.

The Environmental Management Commission shall develop and implement a permit program for municipal and domestic wastewater collection systems on a systemwide basis. The collection system permit program shall provide for performance standards, minimum design and construction requirements, a capital improvement plan, operation and maintenance requirements, and minimum reporting requirements. In order to ensure an orderly and cost-effective phase-in of the collection system permit program, the Commission shall implement the permit program over a five-year period beginning 1 July 2000. The Commission shall issue permits for approximately
twenty percent (20%) of municipal and domestic wastewater collection systems that are in operation on 1 July 2000 during each of the five calendar years beginning 1 July 2000 and shall give priority to those collection systems serving the largest populations, those under a moratorium imposed by the Commission under G.S. 143-215.67, and those for which the Department of Environmental Quality has issued a notice of violation for the discharge of untreated wastewater. The Commission shall report on its progress in developing and implementing the collection system permit program required by this section as a part of each quarterly report the Environmental Management Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b)."

ELIMINATE ANNUAL REPORTS ON REDUCING VEHICLE EMISSIONS FROM STATE EMPLOYEE AND PRIVATE SECTOR VEHICLES BY THE DEPARTMENT OF TRANSPORTATION

SECTION 4.4. G.S. 143-215.107C(d) and (e) are repealed.

ELIMINATE ANNUAL REPORT ON PURCHASE OF NEW MOTOR VEHICLES AND FUEL SAVINGS BY THE DEPARTMENT OF ADMINISTRATION

SECTION 4.5. G.S. 143-34l(8)i.2b. reads as rewritten:

"2b. As used in this sub-sub-subdivision, "fuel economy" and "class of comparable automobiles" have the same meaning as in Part 600 of Title 40 of the Code of Federal Regulations (July 1, 2008 Edition). As used in this sub-sub-subdivision, "passenger motor vehicle" has the same meaning as "private passenger vehicle" as defined in G.S. 20-4.01. Notwithstanding the requirements of sub-sub-subdivision 2a. of this sub-subdivision, every request for proposals for new passenger motor vehicles to be purchased by the Department shall state a preference for vehicles that have a fuel economy for the new vehicle's model year that is in the top fifteen percent (15%) of its class of comparable automobiles. The award for every new passenger motor vehicle that is purchased by the Department shall be based on the Department's evaluation of the best value for the State, taking into account fuel economy ratings and life cycle cost that reasonably consider both projected fuel costs and acquisition costs. This sub-sub-subdivision does not apply to vehicles used in law enforcement, emergency medical response, and firefighting. The Department shall report the number of new passenger motor vehicles that are purchased as required by this sub-sub-subdivision, the savings or costs for the purchase of vehicles to comply with this sub-sub-subdivision, and the quantity and cost of fuel saved for the previous fiscal year on or before October 1 of each year to the Joint Legislative Commission on Governmental Operations and the Environmental Review Commission."

ELIMINATE BIENNIAL STATE OF THE ENVIRONMENT REPORT BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 4.6. G.S. 143B-279.5 is repealed.
ELIMINATE THE ENVIRONMENTAL MANAGEMENT COMMISSION QUARTERLY REPORT ON DEVELOPING ENGINEERING STANDARDS GOVERNING MUNICIPAL AND DOMESTIC SYSTEMS TO ALLOW REGIONAL INTERCONNECTION

SECTION 4.8. Section 11.1 of S.L. 1999-329 reads as rewritten:
"Section 11.1. The Environmental Management Commission shall develop engineering standards governing municipal and domestic wastewater collection systems that will allow interconnection of these systems on a regional basis. The Commission shall report on its progress in developing the engineering standards required by this section as a part of each quarterly report the Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b)."

ELIMINATE BIENNIAL REPORT ON IMPLEMENTATION OF THE NORTH CAROLINA BEACH AND INLET MANAGEMENT PLAN BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 4.9. Section 13.9(d) of S.L. 2000-67 reads as rewritten:
"Section 13.9.(d) Each plan shall be as complete as resources and available information allow. The Department of Environment and Natural Resources shall revise the plan every two years and shall submit the revised plan to the General Assembly no later than March 1 of each odd-numbered year. The Department may issue a supplement to the plan in even-numbered years if significant new information becomes available."

ELIMINATE ANNUAL REPORT ON INFORMAL REVIEW PROCESS FOR AGENCY REVIEW OF ENGINEERING WORK

SECTION 4.10. Sections 29(j) and 29(k) of S.L. 2014-120 are repealed.

CONSOLIDATE REPORTS ON THE COASTAL HABITAT PROTECTION PLAN

SECTION 4.11.(a) G.S. 143B-279.8(e) reads as rewritten:
"(e) The Coastal Resources Commission, the Environmental Management Commission, and the Marine Fisheries Commission shall report to the Joint Legislative Commission on Governmental Operations and the Environmental Review Commission on progress in developing and implementing the Coastal Habitat Protection Plans, including the extent to which the actions of the three commissions are consistent with the Plans, on or before September 1 of each year in which any significant revisions to the Plans are made."

SECTION 4.11.(b) G.S. 143B-279.8(f) is repealed.

CONSOLIDATE AND REDUCE FREQUENCY OF REPORTS ON COST AND IMPLEMENTATION OF ENVIRONMENTAL PERMITTING PROGRAMS

SECTION 4.12.(a) G.S. 143-215.3A(c) reads as rewritten:
"(c) The Department shall report to the Environmental Review Commission and the Fiscal Research Division on the cost of the State's environmental permitting programs contained within the Department on or before November 1 of each odd-numbered year. The report shall include, but is not limited to, fees set and established under this Article, fees collected under this Article, revenues received from other sources for environmental permitting and compliance programs, changes made in the fee schedule since the last report, anticipated revenues from all other sources, interest earned and any other information requested by the General Assembly. The Department shall submit this report with the report required by G.S. 143B-279.17 as a single report."

SECTION 4.12.(b) G.S. 143B-279.17 reads as rewritten:
"§ 143B-279.17. Tracking and report on permit processing times.
The Department of Environmental Quality shall track the time required to process all permit applications in the One-Stop for Certain Environmental Permits Programs established by G.S. 143B-279.12 and the Express Permit and Certification Reviews established by
G.S. 143B-279.13 that are received by the Department. The processing time tracked shall include
(i) the total processing time from when an initial permit application is received to issuance or
denial of the permit and (ii) the processing time from when a complete permit application is
received to issuance or denial of the permit. No later than March January 1 of each odd-numbered
year, the Department shall report to the Fiscal Research Division of the General Assembly and the
Environmental Review Commission on the permit processing times required to be tracked
pursuant to this section. The Department shall submit this report with the report required by
G.S. 143-215.3A(c) as a single report."

SECTION 4.12.(c) The first combined report required by subsections (a) and (b) of
this section shall be submitted to the Environmental Review Commission and the Fiscal Research
Division no later than January 1, 2017.

CONSOLIDATE AND REDUCE FREQUENCY OF REPORTS BY THE
ENVIRONMENTAL MANAGEMENT COMMISSION

SECTION 4.13.(a) G.S. 143B-282(b) reads as rewritten:
"(b) The Environmental Management Commission shall submit quarterly written reports as
to its operation, activities, programs, and progress to the Environmental Review
Commission by January 1 of each year. The Environmental Management
Commission shall supplement the written reports required by this subsection with additional
written and oral reports as may be requested by the Environmental Review Commission. The
Environmental Management Commission shall submit the written reports required by this
subsection whether or not the General Assembly is in session at the time the report is due."

SECTION 4.13.(b) G.S. 143-215.1(h) reads as rewritten:
"(h) Each applicant for a new permit or the modification of an existing permit issued under
subsection (c) of this section shall include with the application: (i) the extent to which the new or
modified facility is constructed in whole or in part with funds provided or administered by the
State or a unit of local government, (ii) the impact of the facility on water quality, and (iii) whether
there are cost-effective alternative technologies that will achieve greater protection of water
quality. The Commission shall prepare a quarterly-an annual summary and analysis of the
information provided by applicants pursuant to this subsection. The Commission shall submit the
summary and analysis required by this subsection to the Environmental Review Commission
(ERC) as a part of each quarterly-annual report that the Commission is required to make to the
ERC under G.S. 143B-282(b)."

SECTION 4.13.(c) The first combined report required by subsections (a) and (b) of
this section shall be submitted to the Environmental Review Commission no later than January 1,
2017.

CONSOLIDATE WASTE MANAGEMENT REPORTS BY THE DEPARTMENT OF
ENVIRONMENTAL QUALITY

SECTION 4.14.(a) G.S. 130A-309.06(c) reads as rewritten:
"(c) The Department shall report to the Environmental Review Commission and the Fiscal
Research Division on or before January 15 of each year on the status of solid waste
management efforts in the State. The report shall include:

1. A comprehensive analysis, to be updated in each report, of solid waste
generation and disposal in the State projected for the 20-year period beginning
on July 1, 1991.
2. The total amounts of solid waste recycled and disposed of and the methods of
solid waste recycling and disposal used during the calendar year prior to the
year in which the report is published.
3. An evaluation of the development and implementation of local solid waste
management programs and county and municipal recycling programs.
(4) An evaluation of the success of each county or group of counties in meeting the municipal solid waste reduction goal established in G.S. 130A-309.04.

(5) Recommendations concerning existing and potential programs for solid waste reduction and recycling that would be appropriate for units of local government and State agencies to implement to meet the requirements of this Part.

(6) An evaluation of the recycling industry, the markets for recycled materials, the recycling of polystyrene, and the success of State, local, and private industry efforts to enhance the markets for these materials.

(7) Recommendations to the Governor and the Environmental Review Commission to improve the management and recycling of solid waste in the State, including any proposed legislation to implement the recommendations.

(8) A description of the condition of the Solid Waste Management Trust Fund and the use of all funds allocated from the Solid Waste Management Trust Fund, as required by G.S. 130A-309.12(c).

(9) A description of the review and revision of bid procedures and the purchase and use of reusable, refillable, repairable, more durable, and less toxic supplies and products by both the Department of Administration and the Department of Transportation, as required by G.S. 130A-309.14(a1)(3).

(10) A description of the implementation of the North Carolina Scrap Tire Disposal Act that includes the amount of revenue used for grants and to clean up nuisance tire collection under the provisions of G.S 130A-309.64.

(11) A description of the management of white goods in the State, as required by G.S. 130A-309.85.

(12) A summary of the report by the Department of Transportation on the amounts and types of recycled materials that were specified or used in contracts that were entered into by the Department of Transportation during the previous fiscal year, as required by G.S. 136-28.8(g).

(13) Repealed by Session Laws 2010-142, s. 1, effective July 22, 2010.

(14) (Expanding October 1, 2023) A description of the activities related to the management of abandoned manufactured homes in the State in accordance with G.S. 130A-117, the beginning and ending balances in the Solid Waste Management Trust Fund for the reporting period and the amount of funds used, itemized by county, for grants made under Part 2F of Article 9 of Chapter 130A of the General Statutes.

(15) A report on the recycling of discarded computer equipment and televisions in the State pursuant to G.S. 130A-309-140(a).


(18) A report on the Dry-Cleaning Solvent Cleanup Act of 1997 pursuant to G.S. 143-215.104U(a) until such time as the Act expires pursuant to Part 6 of Article 21A of Chapter 143 of the General Statutes.

(19) A report on the implementation and cost of the hazardous waste management program pursuant to G.S. 130A-294(i)."

SECTION 4.14.(b) G.S. 130A-309.140(a) reads as rewritten:

"(a) No later than January 15 of each year, the Department shall submit a report on The Department shall include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on the recycling of discarded computer equipment and televisions in the State under this Part to the Environmental Review Commission. The report must include an evaluation of the recycling rates in the State
for discarded computer equipment and televisions, a discussion of compliance and enforcement
related to the requirements of this Part, and any recommendations for any changes to the system of
collection and recycling of discarded computer equipment, televisions, or other electronic
devices."

SECTION 4.14.(c) G.S. 130A-310.40 reads as rewritten:

"§ 130A-310.40. Legislative reports.
The Department shall prepare and submit to the Environmental Review Commission, concurrently with the report on the Inactive Hazardous Sites Response Act of 1987 required under G.S. 130A-310.10, include in the solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) an evaluation of the effectiveness of this Part in facilitating the remediation and reuse of existing industrial and commercial properties. This evaluation shall include any recommendations for additional incentives or changes, if needed, to improve the effectiveness of this Part in addressing such properties. This evaluation shall also include a report on receipts by and expenditures from the Brownfields Property Reuse Act Implementation Account."

SECTION 4.14.(d) G.S. 130A-310.10(a) reads as rewritten:

"(a) The Secretary shall include in the solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on inactive hazardous sites to the Joint Legislative Commission on Governmental Operations, the Environmental Review Commission, and the Fiscal Research Division on or before October 1 of each year. The report shall include at least the following:

1. The Inactive Hazardous Waste Sites Priority List.
2. A list of remedial action plans requiring State funding through the Inactive Hazardous Sites Cleanup Fund.
3. A comprehensive budget to implement these remedial action plans and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the cost of said plans.
4. A prioritized list of sites that are eligible for remedial action under CERCLA/SARA together with recommended remedial action plans and a comprehensive budget to implement such plans. The budget for implementing a remedial action plan under CERCLA/SARA shall include a statement as to any appropriation that may be necessary to pay the State's share of such plan.
5. A list of sites and remedial action plans undergoing voluntary cleanup with Departmental approval.
6. A list of sites and remedial action plans that may require State funding, a comprehensive budget if implementation of these possible remedial action plans is required, and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the possible costs of said plans.
7. A list of sites that pose an imminent hazard.
8. A comprehensive budget to develop and implement remedial action plans for sites that pose imminent hazards and that may require State funding, and the adequacy of the Inactive Hazardous Sites Cleanup Fund.
8a. Repealed by Session Laws 2015-286, s. 4.7(f), effective October 22, 2015.
9. Any other information requested by the General Assembly or the Environmental Review Commission."

SECTION 4.14.(e) G.S. 143-215.104U reads as rewritten:

"§ 143-215.104U. Reporting requirements.
(a) The Secretary shall present an annual report to the Environmental Review Commission that shall include in the solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on at least the following:

1. A list of all dry-cleaning solvent contamination reported to the Department.
A list of all facilities and abandoned sites certified by the Commission and the status of contamination associated with each facility or abandoned site.

An estimate of the cost of assessment and remediation required in connection with facilities or abandoned sites certified by the Commission and an estimate of assessment and remediation costs expected to be paid from the Fund.

A statement of receipts and disbursements for the Fund.

A statement of all claims against the Fund, including claims paid, claims denied, pending claims, anticipated claims, and any other obligations.

The adequacy of the Fund to carry out the purposes of this Part together with any recommendations as to measures that may be necessary to assure the continued solvency of the Fund.

(b) The Secretary shall make the annual report required by this section on or before 1 October of each year.

SECTION 4.14.(f) G.S. 130A-294(i) reads as rewritten:

"(i) The Department shall include in the solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report to the Fiscal Research Division of the General Assembly, the Senate Appropriations Subcommittee on Natural and Economic Resources, the House Appropriations Subcommittee on Natural and Economic Resources, and the Environmental Review Commission on or before January 1 of each year on the implementation and cost of the hazardous waste management program. The report shall include an evaluation of how well the State and private parties are managing and cleaning up hazardous waste. The report shall also include recommendations to the Governor, State agencies, and the General Assembly on ways to: improve waste management; reduce the amount of waste generated; maximize resource recovery, reuse, and conservation; and minimize the amount of hazardous waste which must be disposed of. The report shall include beginning and ending balances in the Hazardous Waste Management Account for the reporting period, total fees collected pursuant to G.S. 130A-294.1, anticipated revenue from all sources, total expenditures by activities and categories for the hazardous waste management program, any recommended adjustments in annual and tonnage fees which may be necessary to assure the continued availability of funds sufficient to pay the State's share of the cost of the hazardous waste management program, and any other information requested by the General Assembly. In recommending adjustments in annual and tonnage fees, the Department may propose fees for hazardous waste generators, and for hazardous waste treatment facilities that treat waste generated on site, which are designed to encourage reductions in the volume or quantity and toxicity of hazardous waste. The report shall also include a description of activities undertaken to implement the resident inspectors program established under G.S. 130A-295.02. In addition, the report shall include an annual update on the mercury switch removal program that shall include, at a minimum, all of the following:

1. A detailed description of the mercury recovery performance ratio achieved by the mercury switch removal program.
2. A detailed description of the mercury switch collection system developed and implemented by vehicle manufacturers in accordance with the NVMSRP.
3. In the event that a mercury recovery performance ratio of at least 0.90 of the national mercury recovery performance ratio as reported by the NVMSRP is not achieved, a description of additional or alternative actions that may be implemented to improve the mercury switch removal program.
4. The number of mercury switches collected and a description of how the mercury switches were managed.
5. A statement that details the costs required to implement the mercury switch removal program, including a summary of receipts and disbursements from the Mercury Switch Removal Account."

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SECTION 4.14.(g) The first combined report required by subsections (a) through (f) of this section shall be submitted to the Environmental Review Commission and the Fiscal Research Division no later than January 15, 2017.

CONSOLIDATE SEDIMENTATION POLLUTION CONTROL ACT AND STORMWATER REPORTS

SECTION 4.15.(a) G.S. 113A-67 reads as rewritten:


The Department shall report to the Environmental Review Commission on the implementation of this Article on or before October 1 of each year. The Department shall include in the report an analysis of how the implementation of the Sedimentation Pollution Control Act of 1973 is affecting activities that contribute to the sedimentation of streams, rivers, lakes, and other waters of the State. The report shall also include a review of the effectiveness of local erosion and sedimentation control programs. The report shall be submitted to the Environmental Review Commission with the report required by G.S. 143-214.7(e) as a single report."

SECTION 4.15.(b) G.S. 143-214.7(e) reads as rewritten:

"(e) On or before October 1 of each year, the Department shall report to the Environmental Review Commission on the implementation of this section, including the status of any stormwater control programs administered by State agencies and units of local government. The status report shall include information on any integration of stormwater capture and reuse into stormwater control programs administered by State agencies and units of local government. The report shall be submitted to the Environmental Review Commission with the report required by G.S. 113A-67 as a single report."

SECTION 4.15.(c) The first combined report required by subsections (a) and (b) of this section shall be submitted to the Environmental Review Commission no later than October 1, 2016.

CONSOLIDATE VARIOUS WATER RESOURCES AND WATER QUALITY REPORTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 4.16.(a) G.S. 143-355(n) is repealed.

SECTION 4.16.(b) G.S. 143-355(o)(9) is repealed.

SECTION 4.16.(c) G.S. 143-355 is amended by adding a new subsection to read:

"(p) Report. – The Department of Environmental Quality shall report to the Environmental Review Commission on the implementation of this section, including the development of the State water supply plan and the development of basinwide hydrologic models, no later than November 1 of each year. The Department shall submit the report required by this subsection with the report on basinwide water quality management plans required by G.S. 143-215.8B(d) as a single report."

SECTION 4.16.(d) G.S. 143-215.8B(d) reads as rewritten:

"(d) As a part of the report required pursuant to G.S. 143-355(p), the Commission and the Department shall each report on or before November 1 of each year on an annual basis to the Environmental Review Commission on the progress in developing and implementing basinwide water quality management plans and on increasing public involvement and public education in connection with basinwide water quality management planning. The report to the Environmental Review Commission by the Department shall include a written statement as to all concentrations of heavy metals and other pollutants in the surface waters of the State that are identified in the course of preparing or revising the basinwide water quality management plans."

SECTION 4.16.(e) The first combined report required by subsections (c) and (d) of this section shall be submitted to the Environmental Review Commission no later than November 1, 2016.
CONSOLIDATE REPORTS BY THE DIVISION OF WATER INFRASTRUCTURE OF
THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE STATE WATER
INFRASTRUCTURE AUTHORITY

SECTION 4.17.(a) G.S. 159G-26(a) reads as rewritten:

"(a) Requirement. – The Department must publish a report each year on the accounts
in the Water Infrastructure Fund that are administered by the Division of Water Infrastructure. The
report must be published by November 1 of each year and cover the preceding fiscal year.
The Department shall make the report available to the public and give a copy of
the report to the Environmental Review Commission and the Commission, the Joint Legislative
Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal
Research Division of the Legislative Services Commission. Division with the report required by
G.S. 159G-72 as a single report."

SECTION 4.17.(b) G.S. 159G-72 reads as rewritten:

"§ 159G-72. State Water Infrastructure Authority; reports.

No later than November 1 of each year, the Authority shall submit a report of its activity and
findings, including any recommendations or legislative proposals, to the Senate Appropriations
Committee on Natural and Economic Resources, the House of Representatives Appropriations
Subcommittee on Natural and Economic Resources, and the Fiscal Research Division of the
Legislative Services Commission, Environmental Review Commission, the Joint Legislative
Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal
Research Division with the report required by G.S. 159G-26(a) as a single report."

SECTION 4.17.(c) The first combined report required by subsections (a) and (b) of
this section shall be submitted to the Environmental Review Commission, the Joint Legislative
Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal
Research Division no later than November 1, 2016.

CONSOLIDATE REPORTS BY SOIL AND WATER CONSERVATION COMMISSION
AND THE DIVISION OF SOIL AND WATER CONSERVATION OF THE
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

SECTION 4.18.(a) G.S. 106-850(e) reads as rewritten:

"(e) The Soil and Water Conservation Commission shall report on or before January 31
of each year to the Environmental Review Commission, the Department of Agriculture and
Consumer Services, and the Fiscal Research Division. This report shall include a list of projects
that received State funding pursuant to the program, the results of the evaluations conducted
pursuant to subdivision (7) of subsection (b) of this section, findings regarding the effectiveness of
each of these projects to accomplish its primary purpose, and any recommendations to assure that
State funding is used in the most cost-effective manner and accomplishes the greatest
improvement in water quality. This report shall be submitted to the Environmental Review
Commission and the Fiscal Research Division with the reports required by G.S. 106-860(e) and
G.S. 139-60(d) as a single report."

SECTION 4.18.(b) G.S. 106-860(e) reads as rewritten:

"(e) Report. – The Soil and Water Conservation Commission shall report no later than January 31
of each year to the Environmental Review Commission, the Department of Agriculture and
Consumer Services, and the Fiscal Research Division. The report shall include a summary of
projects that received State funding pursuant to the Program, the results of the evaluation
conducted pursuant to subdivision (5) of subsection (b) of this section, findings regarding the
effectiveness of each project to accomplish its primary purpose, and any recommendations to
assure that State funding is used in the most cost-effective manner and accomplishes the greatest
improvement in water quality. This report shall be submitted to the Environmental Review
Commission and the Fiscal Research Division as a part of the report required by G.S. 106-850(e)."

SECTION 4.18.(c) G.S. 139-60(d) reads as rewritten:
"(d) Report. – No later than January 31 of each year, the Division of Soil and Water Conservation of the Department of Agriculture and Consumer Services shall prepare a comprehensive report on the implementation of subsections (a) through (c) of this section. The report shall be submitted to the Environmental Review Commission and the Fiscal Research Division as a part of the report required by G.S. 106-850(e)."

SECTION 4.18.(d) The first combined report required by subsections (a) through (c) of this section shall be submitted to the Environmental Review Commission and the Fiscal Research Division no later than January 31, 2017.

DECREASE REPORTING FREQUENCY ON TERMINAL GROINS PILOT PROJECT
BY THE COASTAL RESOURCES COMMISSION

SECTION 4.20. G.S. 113A-115.1(i) reads as rewritten:
"(i) No later than September 1 of each year, January 1, 2017, and every five years thereafter, the Coastal Resources Commission shall report to the Environmental Review Commission on the implementation of this section. The report shall provide a detailed description of each proposed and permitted terminal groin and its accompanying beach fill project, including the information required to be submitted pursuant to subsection (e) of this section. For each permitted terminal groin and its accompanying beach fill project, the report shall also provide all of the following:

(1) The findings of the Commission required pursuant to subsection (f) of this section.
(2) The status of construction and maintenance of the terminal groin and its accompanying beach fill project, including the status of the implementation of the plan for construction and maintenance and the inlet management plan.
(3) A description and assessment of the benefits of the terminal groin and its accompanying beach fill project, if any.
(4) A description and assessment of the adverse impacts of the terminal groin and its accompanying beach fill project, if any, including a description and assessment of any mitigation measures implemented to address adverse impacts."

DECREASE REPORTING FREQUENCY ON PARKS SYSTEM PLAN BY THE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

SECTION 4.21. G.S. 143B-135.48(d) reads as rewritten:
"(d) No later than October 1 of each year, January 1, 2016, and every five years thereafter, the Department shall submit electronically the State Parks System Plan to the Environmental Review Commission, the Senate and the House of Representatives appropriations committees with jurisdiction over natural and cultural resources, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division. Concurrently, the Department shall submit a summary of each change to the Plan that was made during the previous fiscal year five fiscal years."

REDIRECT INTERAGENCY REPORT ON SUPERFUND COST SHARE TO THE ANER OVERSIGHT COMMITTEE

SECTION 4.22. Section 15.6 of S.L. 1999-237 reads as rewritten:
"Section 15.6.(a) The Department of Environmental and Natural Resources Environmental Quality may use available funds, with the approval of the Office of State Budget and Management, to provide the ten percent (10%) cost share required for Superfund cleanups on the National Priority List sites, to pay the operating and maintenance costs associated with these Superfund cleanups, and for the cleanup of priority inactive hazardous substance or waste disposal
sites under Part 3 of Article 9 of Chapter 130A of the General Statutes. These funds may be in
addition to those appropriated for this purpose.

"Section 15.6.(b) The Department of Environment and Natural Resources, Environmental
Quality and the Office of State Budget and Management shall report to the Environmental Review
Commission and the Joint Legislative Commission on Governmental Operations, Joint Legislative
Oversight Committee on Agriculture and Natural and Economic Resources the amount and the
source of the funds used pursuant to subsection (a) of this section within 30 days of the
expenditure of these funds."

REDIRECT REPORT ON EXPENDITURES FROM BERNARD ALLEN EMERGENCY
DRINKING WATER FUND TO ANER OVERSIGHT COMMITTEE

SECTION 4.23. G.S. 87-98(e) reads as rewritten:

"(e) The Department, in consultation with the Commission for Public Health and local
health departments, shall report no later than October 1 of each year to the Environmental Review
Commission, the House of Representatives and Senate Appropriations Subcommittees on Natural
Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and
the Fiscal Research Division of the General Assembly on the implementation of this section. The
report shall include the purpose and amount of all expenditures from the Fund during the prior
fiscal year, a discussion of the benefits and deficiencies realized as a result of the section, and may
also include recommendations for any legislative action."

REDIRECT REPORT ON PARKS AND RECREATION TRUST FUND TO THE ANER
OVERSIGHT COMMITTEE

SECTION 4.24. G.S. 143B-135.56(f) reads as rewritten:

"(f) Reports. – The North Carolina Parks and Recreation Authority shall report no later
than October 1 of each year to the Joint Legislative Commission on Governmental Operations, the
House and Senate Appropriations Subcommittees on Natural and Economic Resources, Oversight
Committee on Agriculture and Natural and Economic Resources, the Fiscal Research Division,
and the Environmental Review Commission on allocations from the Trust Fund from the prior
fiscal year. For funds allocated from the Trust Fund under subsection (c) of this section, this report
shall include the operating expenses determined under subdivisions (1) and (2) of subsection (e) of
this section."

PART V. SEVERABILITY CLAUSE AND EFFECTIVE DATE

SECTION 5.1. If any section or provision of this act is declared unconstitutional or
invalid by the courts, it does not affect the validity of this act as a whole or any part other than the
part declared to be unconstitutional or invalid.

SECTION 5.2. Except as otherwise provided, this act is effective when it becomes
law.