

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1239

Finance Committee Substitute Adopted 6/4/98
Finance Committee Substitute #2 Adopted 9/2/98
House Committee Substitute Favorable 10/28/98

Short Title: Stop Governor/DENR Signing MOU.

(Public)

Sponsors:

Referred to:

May 21, 1998

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE GOVERNOR AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM SIGNING A MEMORANDUM OF UNDERSTANDING REGARDING THE PERMITTING OF AIR EMISSION SOURCES AND TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO CONSIDER ISSUES RELATED TO ENTERING INTO SUCH AN AGREEMENT.

The General Assembly of North Carolina enacts:

Section 1. The Governor and the Department of Environment and Natural Resources shall not sign any memorandum of understanding or other agreement with the United States Department of the Interior, the United States Department of Agriculture, or any other federal agency or department or with any other State regarding the permitting of new or modified air emission sources.

Section 2. The Environmental Review Commission may consider issues related to entering into such an agreement and may recommend legislative proposals to the 1999 General Assembly that:

- 1 (1) Authorize the Governor or the Department of Environment and Natural
2 Resources to sign a memorandum of understanding regarding the
3 permitting of new or modified air emission sources and provide the
4 terms to be set forth in that memorandum of understanding,
5 (2) Authorize the Environmental Management Commission to adopt rules
6 that provide changes to permitting new or modified air emission sources
7 within guidelines set forth by the Environmental Review Commission,
8 or
9 (3) Otherwise address these issues.
10 Section 3. Section 2 of this act becomes effective July 1, 1998. Sections 1 and
11 3 of this act are effective when they become law.