

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1583

Short Title: State Env. Policy Act Rules.

(Public)

Sponsors: Representatives DeVane; Gottovi and H. Hunter.

Referred to: Environment.

June 4, 1992

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THE AUTHORITY OF THE DEPARTMENT OF
2 ADMINISTRATION TO ADOPT RULES TO IMPLEMENT THE NORTH
3 CAROLINA ENVIRONMENTAL POLICY ACT OF 1971 AND OF STATE
4 AGENCIES TO ADOPT RULES ESTABLISHING MINIMUM CRITERIA.
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6 The General Assembly of North Carolina enacts:

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

9 **"§ 113A-11. Adoption of rules.**

10 (a) The Department of Administration shall adopt rules to implement this Article.

11 (b) Each State agency may adopt rules that establish minimum criteria.
12 Minimum criteria specify particular actions or classes of actions for which the
13 preparation of the detailed statement described in G.S. 113A-4(2) is not required. An
14 agency may include a particular action or class of actions in its minimum criteria only if
15 the agency makes a specific finding that the action or class of actions has no significant
16 impact on the environment. Rules establishing minimum criteria shall be consistent
17 with rules adopted by the Department of Administration. In addition to all other rule-
18 making requirements, rules establishing minimum criteria are subject to approval by the
19 Secretary of Administration."

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