

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 738*

Short Title: Clean Water Management Trust Fund. (Public)

Sponsors: Representatives Miller, Hunter (Primary Sponsors); Adams, B. Allen, Bell, Bonner, Cunningham, Earle, Farmer-Butterfield, Hall, Jones, Lucas, Luebke, McAllister, Michaux, Parmon, Wainwright, Womble, and Wright.

Referred to: Environment and Natural Resources.

March 27, 2003

A BILL TO BE ENTITLED

1
2 AN ACT TO AMEND THE LAWS REGARDING THE CLEAN WATER
3 MANAGEMENT TRUST FUND BY INCLUDING IN THE LIST OF ELIGIBLE
4 GRANT APPLICANTS CERTAIN NONPROFIT CORPORATIONS WHOSE
5 PRIMARY PURPOSE IS THE PROMOTION OF HEALTH, WELFARE, AND
6 SAFETY OR SOCIOECONOMIC IMPROVEMENT OF ECONOMICALLY
7 DISTRESSED COMMUNITIES AND BY MODIFYING THE
8 QUALIFICATIONS, POWERS, AND DUTIES OF THE TRUSTEES OF THE
9 FUND.

10 Whereas, the General Assembly has recognized that a critical need exists in
11 the State to clean up pollution in the State's surface waters and to protect and conserve
12 those waters that are not yet polluted; and

13 Whereas, the General Assembly has determined that cleaning and protecting
14 the State's water resources requires multifaceted approaches to address the problems
15 created by various types of pollution; and

16 Whereas, the General Assembly has established the Clean Water
17 Management Trust Fund to help finance projects that specifically address water
18 pollution problems and focus on upgrading surface waters, eliminating pollution, and
19 protecting and conserving unpolluted surface waters, including urban drinking water
20 supplies; and

21 Whereas, the General Assembly further finds that pollution problems
22 significantly impact this State's surface waters in economically distressed communities
23 with substantial populations of low-income persons. Now, therefore,

24 The General Assembly of North Carolina enacts:

25 **SECTION 1.** G.S. 113-145.4(a) reads as rewritten:

26 "(a) Eligible Grant Applicants. – Any of the following are eligible to apply for a
27 grant from the Fund for the purpose of protecting and enhancing water quality:

- 1 (1) A State agency.
- 2 (2) A local government or other political subdivision of the State or a
- 3 combination of such entities.
- 4 (3) A nonprofit corporation whose primary purpose is the conservation,
- 5 preservation, and restoration of our State's environmental and natural
- 6 resources.
- 7 (4) A nonprofit corporation whose primary purpose is the promotion of
- 8 human health, welfare, and safety or socioeconomic improvement of
- 9 economically distressed communities, which can demonstrate the
- 10 relationship between clean water and the promotion of human health
- 11 or socioeconomic improvement for the economically distressed
- 12 communities."

13 **SECTION 2.** G.S. 113-145.5(b) reads as rewritten:

14 "(b) Membership. – The Clean Water Management Trust Fund Board of Trustees

15 shall be composed of 18 members. Six members shall be appointed by the Governor, six

16 by the General Assembly upon the recommendation of the President Pro Tempore of the

17 Senate in accordance with G.S. 120-121, and six by the General Assembly upon the

18 recommendation of the Speaker of the House of Representatives in accordance with

19 G.S. 120-121. The office of Trustee is declared to be an office that may be held

20 concurrently with any other executive or appointive office, under the authority of

21 Article VI, Section 9, of the North Carolina Constitution.

22 Persons appointed shall be knowledgeable in one of the following areas:

- 23 (1) Acquisition and management of natural areas.
- 24 (2) Conservation and restoration of water quality.
- 25 (3) Wildlife and fisheries habitats and resources.
- 26 (4) Environmental management.
- 27 (5) Human health, welfare, and safety.
- 28 (6) Community economic development."

29 **SECTION 3.** G.S. 113-145.6(b) reads as rewritten:

30 "(b) Develop Grant Criteria. – The Trustees shall develop criteria for awarding

31 grants under this Article. The criteria developed shall include consideration of the

32 following:

- 33 (1) The significant enhancement and conservation of water quality in the
- 34 State.
- 35 (2) The objectives of the basinwide management plans for the State's river
- 36 basins and watersheds.
- 37 (3) The promotion of regional integrated ecological networks insofar as
- 38 they affect water quality.
- 39 (4) The specific areas targeted as being environmentally sensitive.
- 40 (5) The geographic distribution of funds as appropriate.
- 41 (6) The preservation of water resources with significant recreational or
- 42 economic value and uses.

1 (7) The development of a network of riparian buffer-greenways bordering
2 and connecting the State's waterways that will serve environmental,
3 educational, and recreational uses.

4 (8) The protection of human health, welfare, and safety.

5 (9) The socioeconomic makeup of the communities to be served."

6 **SECTION 4.** This act becomes effective July 1, 2003.