

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 617
Committee Substitute Favorable 5/11/09
Committee Substitute #2 Favorable 5/13/09

Short Title: Limit Outside Work for DENR/Local Staff.

(Public)

Sponsors:

Referred to:

March 17, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PREVENT POTENTIAL CONFLICTS OF INTEREST BY PERSONS
3 EMPLOYED BY THE STATE OR ACTING AS AGENTS OF THE STATE WITHIN
4 LOCAL HEALTH DEPARTMENTS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 11 of Chapter 130A of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 130A-339.1. Employment limitations to avoid conflict of interest.**

9 (a) Persons employed by the State or a local health department, or any person under
10 contract with the State or a local health department, to act as an authorized agent of the
11 Department to enforce rules of the Commission or a local health department regarding
12 wastewater sites or wastewater systems shall be subject to employment limitations as provided
13 in this section. Such persons shall not evaluate, consult, provide service maintenance, or
14 perform any other work activity for any wastewater site or any wastewater system regulated by
15 the Department under rules adopted by the Commission or a local board of health unless such
16 activity is performed in the course of their employment by, or their contractual relationship
17 with, the State, a local health department, or a joint agency established under G.S. 130A-343.1.

18 (b) The limitations under subsection (a) of this section apply to evaluating, consulting,
19 providing service maintenance, and any other work activity performed as any of the following:

- 20 (1) A soil scientist licensed under Chapter 89F of the General Statutes
21 evaluating any land proposed for any subsurface wastewater system.
22 (2) A water pollution control system operator certified under Article 3 of
23 Chapter 90A of the General Statutes.
24 (3) An on-site wastewater contractor or inspector certified under Article 5 of
25 Chapter 90A of the General Statutes.
26 (4) A professional engineer licensed under Chapter 89C of the General
27 Statutes."

28 SECTION 2. This act is effective when it becomes law and applies to acts that
29 occur on or after that date.

