

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 719

Short Title: Amend Environmental Laws 2009. (Public)

Sponsors: Senator Clodfelter.

Referred to: Agriculture/Environment/Natural Resources.

March 24, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES
3 LAWS TO: (1) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK
4 EMPLOYEES WEAR A UNIFORM VEST; (2) REQUIRE ELECTRONIC REPORTING
5 OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS;
6 (3) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; AND
7 (4) TO REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 113-35.1 is repealed.

10 SECTION 2. G.S. 130A-131.8 reads as rewritten:

11 "**§ 130A-131.8. Laboratory Reports ~~reports of blood levels in children.~~**

12 (a) All laboratories doing business in this State shall report to the Department all
13 environmental lead test results and blood lead test results for children less than six years of age
14 and for individuals whose ages are unknown at the time of testing. Reports shall be made by
15 electronic submission within five working days after test ~~completion on forms provided by the~~
16 ~~Department or on self-generated forms containing completion.~~

17 (b) Reports of blood lead test results shall contain:

18 (1) ~~the~~ The child's full name, date of birth, sex, race, ethnicity, address, and
19 Medicaid number, if ~~any~~; any.

20 (2) ~~the~~ The name, address, and telephone number of the requesting health care
21 provider; ~~provider~~.

22 (3) ~~the~~ The name, address, and telephone number of the testing ~~laboratory~~;
23 laboratory.

24 (4) ~~the~~ The laboratory results, ~~whether the specimen type~~ type is venous or
25 capillary; the laboratory sample number, and the dates the sample was
26 collected and analyzed. ~~The reports may be made by electronic submissions.~~

27 (c) Reports of environmental lead test results shall contain:

28 (1) The address where the samples were collected.

29 (2) Sample type, such as dust, paint, soil, or water.

30 (3) Surface type, such as floor, window sill, or window trough.

31 (4) Collection location.

32 (5) The name, address, and telephone number of the testing laboratory.

33 (6) The laboratory results, unit of measurement, the laboratory sample number,
34 and the dates the sample was collected and analyzed."

35 SECTION 3. G.S. 130A-248(d) reads as rewritten:

36 "(d) The Department shall charge each establishment subject to this section, except
37 nutrition programs for the elderly administered by the Division of Aging of the Department of



1 Health and Human Services, establishments that prepare and sell meat food products or poultry
2 products, and public school ~~cafeterias, an annual fee of fifty dollars (\$50.00).~~ cafeterias, a fee
3 of fifty dollars (\$50.00) for each permit issued. This fee shall be reassessed annually for
4 permits that do not expire. The Commission shall adopt rules to implement this subsection.
5 Fees collected under this subsection shall be used for State and local food, lodging, and
6 institution sanitation programs and activities. No more than thirty-three and one-third percent
7 (33 1/3%) of the fees collected under this subsection may be used to support State health
8 programs and activities."

9 **SECTION 4.** Section 5 of S.L. 2007-438 reads as rewritten:

10 **"SECTION 5.** This act becomes effective 1 September 2007 and applies to all nutrient
11 offset payments, including those set out in 15A NCAC 2B .0240, as adopted by the
12 Environmental Management Commission on 12 January 2006. The fee schedule set out in
13 Section 1 of this act expires ~~1 September 2009,~~ on the effective date of the rules adopted by the
14 Environmental Management Commission pursuant to Section 2 of this act."

15 **SECTION 5.** Section 3 of this act becomes effective July 1, 2009. Sections 1, 2, 4,
16 and 5 of this act are effective when this act becomes law.