

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1991

CHAPTER 899  
HOUSE BILL 1583

AN ACT TO CLARIFY THE AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES TO IMPLEMENT THE NORTH CAROLINA ENVIRONMENTAL POLICY ACT OF 1971 AND OF STATE AGENCIES TO ADOPT RULES ESTABLISHING MINIMUM CRITERIA.

The General Assembly of North Carolina enacts:

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

**"§ 113A-11. Adoption of rules.**

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

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of July, 1992.

James C. Gardner  
President of the Senate

Daniel Blue, Jr.  
Speaker of the House of Representatives