

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 635

Short Title: Examine and Streamline DEHNR.

(Public)

Sponsors: Representatives Hayes; Aldridge, Baker, Berry, Bowie, Crawford, Dockham, Edwards, Hill, Linney, McMahan, K. Miller, Morgan, Nichols, Owens, Preston, Rayfield, Reynolds, Russell, Thompson, Wainwright, Warner, C. Wilson, and G. Wilson.

Referred to: Rules, Calendar and Operations of the House.

March 30, 1995

A BILL TO BE ENTITLED

1 AN ACT TO CREATE A COMMISSION TO EXAMINE THE DEPARTMENT OF
2 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO
3 RECOMMEND CHANGES IN THE DEPARTMENT.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. (a) The Commission to Review the Department of Environment,
7 Health, and Natural Resources, hereinafter "Review Commission", is created. The
8 Review Commission shall consist of eight members, four members appointed by the
9 Speaker of the House of Representatives and four members appointed by the President
10 Pro Tempore of the Senate. Of those appointments, each appointing authority shall
11 appoint two members who served formerly on the Wildlife Resources Commission and
12 two members who served formerly on the Marine Fisheries Commission. The Speaker of
13 the House of Representatives shall appoint one member as cochair and the President Pro
14 Tempore of the Senate shall appoint one member as cochair. When a vacancy occurs in
15 the membership of the Review Commission, the vacancy shall be filled by the same
16 appointing officer who made the initial appointment.

17 (b) Appointments of the members of the Review Commission shall be
18 completed by the appointing authorities as soon as practicable and not later than 15 days

1 after the ratification of this act. The cochairs shall call the initial meeting of the Review
2 Commission not more than 10 days after the appointment of the last member of the
3 Review Commission, and subsequent meetings shall be at the call of the cochairs.

4 Sec. 2. (a) The Review Commission shall examine the mission, authority,
5 powers, duties, structure, functions, and administration of the Department of
6 Environment, Health, and Natural Resources, hereinafter "Department", excluding the
7 Department's Health Division. As part of its examination, the Review Commission shall
8 identify methods to:

- 9 (1) Promote economy and efficiency within the Department;
10 (2) Increase fairness and flexibility in the Department's regulation of local
11 governments and private business; and
12 (3) Reorder priorities within the Department to place greater emphasis on
13 reasonableness and efficiency in the area of environmental regulation.

14 The Review Commission shall recommend changes in the Department to the General
15 Assembly. The Review Commission shall also consider the impact the changes it is
16 considering will have on the mission, administration, and functions of the Department
17 and may make recommendations as to restructuring the Department.

18 (b) The Review Commission shall make a preliminary report to the General
19 Assembly prior to May 15, 1995, and a final report prior to March 1, 1996, on the results
20 of its examination of the Department. The report shall include any proposed legislation
21 necessary to implement the Review Commission's recommendations. Upon making its
22 final report to the General Assembly, the Review Commission shall terminate.

23 Sec. 3. Members of the Review Commission shall serve without
24 compensation; however, they may be reimbursed by the Department, pursuant to G.S.
25 138-6, for travel and lodging expenses incurred in the performance of their duties as
26 members of the Review Commission, to the extent that funds are available.

27 Sec. 4. The Review Commission shall consult with the Secretary of the
28 Department of Environment, Health, and Natural Resources, hereinafter "Secretary", as
29 the Review Commission carries out its duties under this act. The Department, through
30 the Secretary, shall furnish the Commission with all information in its possession or
31 available to it that is necessary to carry out the purposes of this act. The Secretary shall
32 provide reasonable office space and support services to the Review Commission, at the
33 request of the chair of the Review Commission.

34 Sec. 5. The Director of the Budget shall authorize the expenditure from
35 existing funds of the Department of Environment, Health, and Natural Resources by the
36 Review Commission to assist the Review Commission in carrying out its duties under
37 this act, including contracting with outside consultants. The Office of State Budget and
38 Management, the State Auditor, and other appropriate State agencies shall also provide
39 consultation as requested by the cochairs of the Review Commission as needed to carry
40 out the purposes of this act.

41 Sec. 6. This act is effective upon ratification.