

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**HOUSE BILL 566  
Second Edition Engrossed 5/1/03  
Senate Rules and Operations of the Senate Committee Substitute Adopted 7/17/03**

Short Title: Swift Creek Reclassification.

(Public)

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Sponsors:

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Referred to:

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March 20, 2003

A BILL TO BE ENTITLED

1  
2 AN ACT TO APPROVE IN PART AND DISAPPROVE IN PART THE  
3 ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL  
4 MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND  
5 SANDY CREEK IN THE TAR-PAMLICO RIVER BASIN.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Pursuant to G.S. 150B-21.3(b), 15A NCAC 2B.0225  
8 (Outstanding Resource Waters) and 15A NCAC 2B.0316 (Tar-Pamlico River Basin), as  
9 adopted by the Environmental Management Commission on 11 July 2002 and approved  
10 by the Rules Review Commission on 15 August 2002, are approved effective 1 August  
11 2003 with respect to all waters and lands that are located west of Nash County State  
12 Road 1003 (Red Oak Road) and are disapproved with respect to waters and lands that  
13 are located east of Nash County State Road 1003 (Red Oak Road).

14 **SECTION 2.** The Environmental Management Commission shall adopt  
15 temporary and permanent rules to amend the North Carolina Administrative Code to  
16 incorporate the provisions of Section 1 of this act. Notwithstanding G.S. 150B-21.1,  
17 this act shall not be construed to authorize the Environmental Management Commission  
18 to adopt a temporary rule related to the subject matter of Section 1 of this act except as  
19 specifically provided by this section, and the Environmental Management Commission  
20 shall not be required to provide prior notice or a hearing to adopt the temporary rule  
21 required by this section. Reference to this section shall satisfy the requirement for a  
22 statement of finding of need for a temporary rule set out in G.S. 150B-21.1.

23 **SECTION 3.** This act is effective when it becomes law.