

2017 environmental bills of note, as of April 21, 2017

As of Friday, April 21, the deadline for introduction of most bills has passed in the NC Senate, and for non-money bills has passed in the NC House (tax, fee, and appropriation bills can still be introduced in the House through April 25). This summary includes a number of the more significant environment-related bills in both chambers. To see a bill's current status, please visit the NC General Assembly website, <http://www.ncleg.net/>, and enter the bill number (eg H200, or S171) at the search box at the top of the page.

Bill & sponsors	Summary	Impact/ status
Overarching		
H312, Clarify Rules Review Commission Review. Dennis Riddell (Alamance-R); John Bradford (Mecklenburg-R); Chris Millis (Pender-R).	Adds one word to the authorizing statute of the Rules Review Commission, to give RRC authority to reject any project rule that is not 'clearly' within the authority of the issuing agency. Seems intended to reduce agencies' discretion to interpret their authority.	Bad. In House State & Local Govt, seq referral to House Judiciary III.
H379, Task Force on Regulatory Reform. Dennis Riddell (Alamance-R), Chris Millis (Pender-R), John Bradford (Mecklenburg-R), Brenden Jones (Johnston-R); 7 cosponsors.	Establishes a Joint Legislative Task Force on Regulatory Reform to solicit proposals to streamline and eliminate regulations, and submit a final report to the NCGA by December 31, 2018, in time for the next biennium.	Passed House 3/28; in Senate Rules.
H705, EMC Oversight of DEQ Studies. John Bradford (Mecklenburg-R), Dennis Riddell (Alamance-R), Chris Millis (Pender-R).	Adds to the organic duties of the Environmental Management Commission (EMC) to review reports that DEQ is required to submit to the NCGA and to attach the EMC's comments on those reports to its quarterly report to the legislative Environmental Review Commission (ERC).	House Regulatory Reform.
H747, LRC Study/ Reg. Impact in Coastal Areas. Chris Millis (Pender-R), John Bradford (Mecklenburg-R), Dennis Riddell (Alamance-R).	Directs the Legislative Research Commission to study whether 'unnecessary or duplicative' environmental rules, local land use restrictions, or inadequate infrastructure investments are burdening communities east of I-95.	House Regulatory Reform.
S480, Protection from Government Overreach Act. Andy Wells (Catawba-R), Rick Gunn (Alamance-R), Trudy Wade (Guilford-R); 1 cosponsor.	Bars agencies from adopting rules with total costs of more than \$100 million, and requires supermajority to adopt rules with total costs over \$10 million. Also, authorizes incorporation of federal rules by reference (something that is already routine), and exempts permanent rules needed to address a 'serious and unforeseen threat' from automatic legislative review of new rules.	Bad. Fails to consider benefits, distributional impacts of failure to regulate. Senate Rules.
S613, Attorney's Fees & Costs/State Prevails. Tom McInnis (Scotland-R), Tommy Tucker (Union-R).	Allows North Carolina to recover attorneys fees when it wins a lawsuit that either challenges a state transportation project or 'seeks relief based on environmental impact'.	Senate Rules.
S649, Public Records Access – NC Residents Only. Warren Daniel (Burke-R), Andrew Brock (Davie-R), Ralph Hise (McDowell-R); 1 cosponsor.	Narrows state Public Records Act to protect access only for North Carolina residents.	Reduces transparency. Senate Rules.

Energy		
<p>H171, Change Exclusion for Solar Energy Systems. Jimmy Dixon (Duplin-R), John Bell (Wayne-R), Brenden Jones (Bladen-R), Pat McElraft (Carteret-R); 12 cosponsors.</p> <p>S279, Change Exclusion for Solar Energy Systems. Danny Britt (Columbus-R), Norm Sanderson (Craven-R); 1 cosponsor.</p>	Cuts the current 80% property tax abatement for solar farms to 60%, effective July 2017.	<p>Attack on solar. Bad. House Energy.</p> <p>Senate Rules.</p>
<p>H172, Include Solar Property as Nonsystem Property. Jimmy Dixon (Duplin-R), John Bell (Wayne-R), Mark Brody (Anson-R); 2 cosponsors.</p>	Classes property use 'directly and exclusively for the conversion of solar energy to electricity' as non-system property, meaning that it would no longer be eligible for tax breaks or abatement.	Attack on solar. Bad. House Energy.
<p>H264, Disqualify Certain Property from PUV. Jimmy Dixon (Duplin-R), John Bell (Wayne-R), Jeff Collins (Franklin-R), and Jay Adams (Catawba-R); 2 cosponsors.</p>	Strips PUV status – and triggers requirements for payment of deferred taxes – when a solar energy system built on the property receives a property tax abatement and the energy generated by the system is not used solely 'for the benefit of the land'.	Attack on solar. Bad. House Energy.
<p>H267, Utilities/ Amend REPS Requirements. Jimmy Dixon (Duplin-R), John Bell (Wayne-R); 3 cosponsors</p>	Freezes North Carolina's Renewable Energy Portfolio Standard (REPS) at 8% in 2017, allows energy efficiency to satisfy 40% of the requirement from 2018 on, and allows Duke Energy to recovery any costs accumulated under current REPS targets anyway.	Attack on REPS. Bad. House Energy
<p>H319, Study Solar Facility Decommissioning Requirements. Jimmy Dixon (Duplin-R).</p>	Directs the legislative Environmental Review Commission (ERC) to study issues with the decommissioning of utility-scale solar projects, including whether there is a need for performance bonds, and report back to the NCGA before the 2018 short session.	<p>Attack on solar.</p> <p>Passed House 4/19, vote 70-45. In Senate.</p>
<p>H465, Military Operations Protection Act of 2017. John Bell (Wayne-R), Jimmy Dixon (Duplin-R), George Cleveland (Onslow-R); 1 cosponsor.</p> <p>S331, Military Operations Protection Act of 2017. Harry Brown (Onslow-R), Norm Sanderson (Craven-R), Louis Pate (Wayne-R); 8 cosponsors.</p>	Puts a moratorium on permits for onshore and offshore wind until 2020, and calls for study of military use of space in the state in the meantime.	<p>Attack on wind. Bad. House Homeland Security.</p> <p>Senate Commerce, was sched for 4/20 but was not heard.</p>
<p>H470, Responsible Wind Energy Implementation. Chris Millis (Pender-R).</p> <p>S366, Responsible Wind Energy Implementation. Bill Cook (Dare-R), Norm Sanderson (Craven-R), Andrew Brock (Davie-R); 1 cosponsor.</p>	Sets up an elaborate vetting and permitting process for wind projects, including detailed health studies of potential impacts to residents within two miles. Also requires massive setbacks and decommissioning assurances calculated without considering likely value of project scrap, and imposes significant insurance requirements to cover any damages caused by wind projects.	<p>Attack on wind. Bad. Heard in House Homeland Security on 4/6 but motion to report defeated 6-12.</p> <p>Senate Rules.</p>

H574, Wind Energy/ Consistency with Military. Holly Grange (New Hanover-R), John Szoka (Cumberland-R), Sam Watford (Davidson-R); 17 cosponsors.	Revises state wind permitting process to give the NC Dept. of Military and Veterans Affairs input into the process from the beginning and requires applicant to obtain a letter to proceed from the Dept. before a permit can issue. Eliminates certain previously required studies of noise and 'shadow flicker', certain grounds for permit denial, and financial assurance requirements.	Compromise bill. Discussed but not voted in House Energy on 4/19; sched for 4/26.
H589, Utilities Commission Fees and Charges. John Szoka (Cumberland-R), Dean Arp (Union-R), Sam Watford (Davidson-R).	As introduced, requires providers of renewable energy to register with the NC Utilities Commission. Future committee substitutes likely to pick up addition provisions.	Placeholder for possible energy compromise. House Energy.
H745, NC Energy Ratepayers Protection Act. Chris Millis (Pender-R), George Cleveland (Onslow-R), Jeff Collins (Franklin-R), Pat McElraft (Carteret-R).	Freezes the current Renewable Energy and Energy Efficiency Portfolio Standard (REPS) at 6% of retail sales, redefines 'avoided cost' to undercut renewable energy, and allows the entire REPS target to be met with energy efficiency, without renewables.	Attack on REPS. Bad. House Energy.
S487, Increase Energy Efficiency. Andrew Brock (Davie-R), Trudy Wade (Guilford-R).	Notwithstanding the short title, removes the cap on energy efficiency in the NC Renewable Efficiency Portfolio Standard to let energy efficiency eat the entire portion of demand currently set aside for renewables.	Attack on REPS. Bad. Senate Rules.
S493, C-PACE Program. Tommy Tucker (Union-R), Rick Gunn (Alamance-R).	Allows cities and counties to establish programs to help various property owners voluntarily finance capital improvement (which could include, for example, energy efficiency or renewable energy systems) and then pay off the costs over time. Eligible property owners would include businesses, nonprofits, churches, and owners of multifamily dwellings.	Good. Senate Rules.
S619, JLCEP Study Grid Modernization. Bill Rabon (Brunswick-R), Harry Brown (Onslow-R), Trudy Wade (Guilford-R).	Directs the Joint Legislative Commission on Energy Policy to conduct a comprehensive study of "known and measurable costs and benefits" of grid modernization, with a report due back to the NCGA by March 1, 2018. Appropriates \$300K for the Commission to hire consultants to assist with the study.	Study. Senate Rules.

Transportation		
H219, Transportation Megaproject Funding. John Torbett (Gaston-R); 10 cosponsors. Provisions added on 4/19 to H110, DOT/DMV Changes, John Torbett (Gaston-R), others.	Establishes a new fund within the Highway Trust Fund to pay for massively expansive projects (over \$200M) chosen outside of the Strategic Transportation Initiative process; reopens the door to highway projects that do not score well in the STI process but have strong political support.	Attack on objective scoring of projects. Bad. H110 approved by House, 4/20, vote 65-50. Now in Senate Rules.
H266, Terminate Agreement for Tolling of I-77. Chaz Beasley (Mecklenburg-D); John Bradford (Mecklenburg-R); 17 cosponsors.	Directs NCDOT to terminate the I-77 High Occupancy Toll project in Mecklenburg and Iredell Counties, and directs NCDOT to pay any damages or monetary penalties from unobligated funds.	House Rules.
H468, DOT/ Funding for Preliminary Engineering. Phil Shepard (Onslow-R), John Torbett (Gaston-R); 1 cosponsor.	Allows NCDOT to accept local funding to conduct 'preliminary engineering' for projects in a previous Transportation Improvement Program (TIP) that are not listed in the current TIP.	Bad. Sched for House floor debate, 4/24
H469, Regulation of Fully Autonomous Vehicles. Phil Shepard (Onslow-R), John Torbett (Gaston-R); one cosponsor. S337, Regulation of Fully Autonomous Vehicles. Wesley Meredith (Cumberland-R), Jim Davis (Cherokee-R), Tom McInnis (Scotland-R); 3 cosponsors.	Begins to integrate robot cars into North Carolina's motor vehicle laws. Notably, exempts operators of fully automated cars from the requirement of having a driver's license, though the vehicle must itself be registered. Also, preempts all local regulation of autonomous vehicles.	House Transportation. Sched for 4/24. Senate Rules.
H652, Freeze New Toll Contracts. Chaz Beasley (Mecklenburg-D), John Bradford (Mecklenburg-R), George Cleveland (Onslow-R); 1 cosponsor.	Prohibits NC DOT and the NC Turnpike Authority from entering in to any new or additional agreements to construct or operate toll roads.	Senate Rules.

Mitigation		
H557, Mitigation Services Amendments. Chris Millis (Pender-R), Pat McElraft (Carteret-R), John Bradford (Mecklenburg-R); 5 cosponsors. S611, Mitigation Services Amendments. Andrew Brock (Davie-R), Bill Cook (Dare-R).	Rewrites mitigation statutes. Changes requirement that mitigation 'be consistent' with basin plans to require that it 'advance' plans; bars use of eminent domain by the Division of Mitigation Services; requires all permit applicants to use private mitigation banks if those are available, ahead even of conducting their own mitigation; directs the Environmental Management Commission to set state in-lieu fees to reflect 'actual cost' of credit production, but eliminates language including cost of long term maintenance; requires all mitigation banks to register with the Division; and, over a three year period, excludes state in-lieu fee mitigation from the Neuse and Cape Fear river basins.	Bad. House Env. Senate Rules.

H632, Amend Mitigation Services Law. John Torbett (Gaston-R), David Lewis (Harnett-R), Chuck McGrady (Henderson-R).	Adds to the purposes of the Division of Mitigation Services, to 'maximize ... productive uses of public and private lands consistent with other purposes'; allows the state to fund stream mitigation; provides for the long-term management of mitigation sites; allows private riparian buffers to be counted against other development requirements; requires state mitigation programs to prioritize replacement of ecological functions and actual costs; directs NCDOT to report annually on its mitigation of transportation impacts; directs the Division to review bonding requirements and report to the legislative Environmental Review Commission by December 1, 2017; and directs the Dept. of Administration to develop an inventory of state-owned properties appropriate for mitigation.	Compromise bill with generally broad support. Sched for House floor debate 4/24.
S533, Mitigation Service/ DOT. Bill Rabon (Brunswick-R).	Moves the existing Division of Mitigation Services from the Department of Environmental Quality (DEQ) to the NC Department of Transportation (NCDOT).	Bad. Senate Transportation.

Water		
H275, No Stormwater Fees on Taxiways or Runways. Debra Conrad (Forsyth-R), John Torbett (Gaston-R), Michele Presnell (Madison-R), Howard Hunter (Hertford-D); 8 cosponsors.	As introduced, effective January 1, 2018, disallows city and county stormwater programs from charging airports for the impervious surfaces on taxiways and runways. As modified in House committee, exempts nonmilitary airports from city and county stormwater fees so long as funds are spent instead 'for attracting business to the airport'. Entirely exempts military airports.	Bad. Sched for House floor debate 4/24.
H351, Utilities/ Rate Base/ Fair Value Determination. Sam Watford (Davidson-R), Jeff Collins (Franklin-R). S339, Utilities/ Rate Base/ Fair Value Determination. Wesley Meredith (Cumberland-R).	Establishes that when a private utility acquires a public utility, the 'fair value' of the property – paid to the public government and recoverable from ratepayers post-acquisition – is to be based on the plant and equipment in operation at the end of the 'test period'. Part of a nationwide effort by private utilities to promote privatization of public assets.	Harmful, particularly when combined with H352/ S340. House Energy sched 4/25 Senate Rules.
H352, Rate making/ Water/ Wastewater Public Utilities. Sam Watford (Davidson-R), Jeff Collins (Franklin-R). S340, Rate/Making/Water/ Wastewater Public Utilities. Wesley Meredith (Cumberland-R).	For a private water utility regulated by the NC Utilities Commission, current law directs the Commission to set water rates based on the cost of service at the end of a 12-month 'test period' of actual data. This bill allows a private utility to opt to have the Commission set the rates based on a 'projected future text period', based on estimates of future costs rather than actual data.	Bad for ratepayers, and worse when combined with H351/S339. Sched for House floor debate 4/24. Senate Rules.
H667, Drinking Water Wholesalers Testing and Eval. Lee Zachary (Yadkin-R).	Directs the EMC to adopt rules requiring public water systems that rely on surface water and sell to other public systems to sample for disinfection byproducts at the points of delivery to those systems.	House Env.sched 4/24.

S107, Streamline Dam Removal. Andy Wells (Catawba-R), Rick Gunn (Alamance-R), Brent Jackson (Duplin-R); one cosponsor.	Where dam removal project will not increase water levels above site or flooding downstream, removes requirement for project to obtain dam safety permit.	Designed to speed river restoration. Good. Senate Finance.
S131, Regulatory Reform Act of 2016. Andrew Wells (Catawba-R), Bill Cook (Dare-R), Norm Sanderson (Craven-R); 2 cosponsors.	Mixed bag of provisions, but worst are water-related, including weakening definition of impervious surface for purposes of stormwater management, and exempting more destruction of streams from mitigation requirements.	Stormwater and stream mitigation provisions are harmful. House added provisions; Senate did not concur 4/19; in conference.

Land conservation		
H353, Authorize State Park Expansion. Josh Dobson (McDowell-R), William Brisson (New Hanover-D), Brendan Jones (Bladen-R), Howard Hunter (Hertford-D); 18 cosponsors. Twin to S244.	Adds Black River State Park, Bob's Pocket Natural Area, Warwick Mill Bay State Natural Area, and Salmon Creek State Natural Area to the state parks system.	Good. Passed House 4/6, Senate Rules.
H361, Coastal Crescent Trail/ State Parks System. Phil Shepard (Onslow-R), Pat McElraft (Carteret-R), Donna White (Johnston-R), Larry Strickland (Johnston-R). S244, Coastal Crescent Trail/ State Parks System. Brent Jackson (Duplin-R).	Adds the Coastal Crescent Trail to the Mountains-to-the-Sea State Trail.	Good. Passed House 4/6, Senate Rules. Passed Senate Ag, Env; Sched for Senate floor debate 4/24.
H423, Check-Off Donation: Land Trusts. Billy Richardson (Cumberland-D), Pricey Harrison (Guilford-D), Mary Belk (Mecklenburg-D), Deb Butler (New Hanover-D); 7 cosponsors.	Creates new option on state tax returns for state taxpayers to opt to send part or all of their tax refund to the state Conservation Grant Fund.	Good. House Env., seq ref to House Finance.
H680, Allow OPAV/Conservation Esmts on Farmland. John Ager (Buncombe-D); 1 cosponsor.	Allows agricultural conservation easements to include a perpetual right of first refusal for the easement holder to purchase the encumbered land at its agricultural value.	House Ag, seq ref to House Finance.
S484, PARTF Funding Conditions and Match. Erica Smith-Ingram (Bertie-D); 1 cosponsor.	Current PARTF funds for local projects require a 1:1 match. This bill changes that to 15% match for land acquisition and 25% match for improvements in tier 1 counties, and 10% for both land acquisition and improvements in tier 2 or 3 counties.	Senate Approps.
S545, State Nature and Historic Preserve Adds/Dels. Ralph Hise (McDowell-R), Danny Britt (Robeson-R).	As introduced, adds Endor Iron Furnace and Carver Creek State Park to the State Nature and Historic Preserve; removes a tract from Lumber River State Park and authorizes the state to sell or exchange the property for the purpose of expanding the park.	Senate State & Local Govt, +2 referrals.

Land Use & Planning		
H436, Local Government/ Regulatory Fees. Sarah Stevens (Surry-R); one cosponsor.	As introduced, bars cities and counties from applying any impact fee, facility fees, project fee, capacity fee, or other regulatory fee to new development. Strips a bunch of local governments of long-standing authorities to charge these fees. As modified and approved by House Finance, freezes impact fees at June 30, 2016 levels, and calls for Legislative Research Commission (LRC) study due before the 2018 session.	Bad. Sched for House floor debate.
H507, Land Use Regulatory Changes. Jonathan Jordan (Watauga-R), John Bell (Wayne-R), Deborah Conrad (Forsyth-R), Billy Richardson (Cumberland-D); 2 cosponsors. S575, Land use Regulatory Changes. Rick Gunn (Alamance-R), Trudy Wade (Guilford-R), Joyce Kraweic (Forsyth-R).	In a variety of ways, shifts local land use permitting processes further in favor of developers and against local governments: money damages when certain permits are incorrectly denied, forbids local governments from denying approval on the grounds that existing public facilities are inadequate to support a proposed new use of a property.	Bad. Passed House, 4/20, vote 115-0. In Senate Rules. Senate Rules.
H624, Uniform System Development Fees for Water. Chuck McGrady (Henderson-R), Linda Johnson (Cabarrus-R), Craig Horn (Union-R), Linda Hunt Williams (Wake-R); 1 cosponsor. S641, Uniform System Development Fees for Water. Paul Newton (Cabarrus-R), Chuck Edwards (Hendersonville-R), Norm Sanderson (Craven-R); 8 cosponsors.	Responding to a recent court case that struck down certain local impact fees, authorizes system development fees for water and sewer, and preempts all other authorities for water and sewer fees.	Compromise. Local governments support. House Energy. Senate Rules.
H794, NC Permitting Efficiency Act of 2017. Scott Stone (Mecklenburg-R), Jason Saine (Lincoln-R), John Bradford (Mecklenburg-R), John Torbett (Gaston-R).	Restricts city and county permits, including but not limited to building permits; allows NC DOT to delegate oversight of permitting for construction or expansion of state-maintained roads to local authorities; limits local fees to the anticipated cost of the program divided over the anticipated number of applications.	House State & Loc. Govt.
S419, Planning/Development Changes. Michael Lee (New Hanover-R), Floyd McKissick (Durham-D).	Consolidated city and county planning laws into a single new chapter of the NC General Statutes.	Good. Senate Judiciary +3 ref, inc. Finance.
S642, Burden of Proof – Planning and Zoning. Paul Newton (Cabarrus-R), Brent Jackson (Duplin-R), Andrew Brock (Davie-R); 1 cosponsor.	Establishes a presumption that whatever a landowner wants to do with their property is a proper land use, and requiring 'clear and convincing evidence' from a city to prove otherwise.	Senate Rules

Waste & recycling		
H244, Public Participation/ Compositing Facilities. Julie Howard (Davie-R), Pat McElraft (Carteret-R), Chuck McGrady (Henderson-R), Mitch Setzer (Catawba-R); 6 cosponsors.	<p>As introduced, expands grounds for DEQ to deny a permit for a 'solid waste facility' to include adverse impacts to 'school grounds and athletic fields' and 'community facilities hosting outdoor activities'. Directs the EMC to adopt rules to minimize emissions and odors from composting facilities. Requires DEQ to hold public hearing before issuing a composting facility permit.</p> <p>As modified in House committee, requires new compost facilities to have 500 ft setback from school or community athletic fields. Directs EMC to issue odor rules, requires public notice but does not mention public hearing.</p>	Passed House 4/20, vote 108-4, in Senate Rules.
H271, Repeal Plastic Bag Ban. Beverly Boswell (Dare-R), John Bell (Wayne-R), John Bradford (Mecklenburg-R); 8 cosponsors. Also in S539, Env. Reg. Reform. Also in S434, Amend Env. Laws- 2	Repeals penalties for merchants Dare County who give customers plastic bags.	Bad. House Env. Senate Ag., Env. S434 sched for Senate Rules 4/24.
H567, Study Hexavalent Chromium in Groundwater. Dana Bumgardner (Gaston-R); 3 cosponsors. S657, Study Hexavalent Chromium in Groundwater. Kathy Harrington (Gaston-R); 2 cosponsors	Directs DEQ to study the distribution and levels of hexavalent chromium in groundwater in certain neighborhoods near coal ash pits.	Study. House Env. Senate Ag, Env.
H576, Allow Aerosolization of Leachate. Jimmy Dixon (Duplin-R).	Directs DEQ to approve aerosolization as an acceptable way to dispose of landfill leachate, and declares that such disposal is not a discharge under state law.	Bad. House Env. reported, referred back to House Env. 4/21.
H763, Notice to Innocent Purchasers/ Haz. Sites. Brian Turner (Buncombe-D), Julie Howard (Davie-R), Chuck McGrady (Henderson-R).	Directs the state GIS office to provide data on known hazardous and waste disposal sites to county GIS offices, and directs county offices to include that in any publicly-accessible "searchable property mapping system" that the county maintains. Requires sellers of real property to let buyers know that DEQ keeps records of known former waste sites. Requires property owners to submit formal information to DEQ of known former waste sites.	Good. House Judiciary 1, seq ref to House Reg Reform.

Marine fisheries & Wildlife		
H524, Marine Aquaculture Development Act. Beverly Boswell (Dare-R); Phil Shepard (Onslow-R). S410, Marine Aquaculture Development Act. Bill Cook (Dare-R), Norm Sanderson (Craven-R), Jerry Tillman (Randolph-R); 1 cosponsor.	As introduced, creates a new permitting program for marine aquaculture, creates a new aquaculture leasing program, and directs the state Division of Marine Fisheries to formally request that federal authorities establish similar regimes for federal waters off North Carolina. Modified and favorably reported by Senate Ag, Env.on 4/21.	House Env., seq ref to House Reg Reform. Sen. Finance.
H545, Marine Fisheries Advisory Committee Reforms. Beverly Boswell (Dare-R), Chris Millis (Pender-R), Larry Pittman (Cabarrus-R); 1 cosponsor.	Directs NC Marine Fisheries Commission to follow the recommendations of the relevant Marine Fisheries Advisory Committees "to the maximum extent practicable". Requires the Advisory Committees to meet at least quarterly, and requires the MFC to consult with the relevant Advisory Committee before acting on any fisheries management plan.	House Wildlife Resources, seq ref to House Env.
H614, Scientific Wildlife Management Act. Charles Malone (Wake-R), Jay Adams (Catawba-R), Brian Turner (Buncombe-D).	Establishes 'fundamental privilege' of state residents to hunt, trap, and fish, and charges DEQ, the Wildlife Resources Commission, and the Marine Fisheries Commission with the responsibility to "promote conservation and management of these resources."	House Wildlife Resources.
S432, Delay Marine Fisheries Rule Making. Norm Sanderson (Craven-R), Bill Cook (Dare-R), Jerry Tillman (Randolph-R).	Prohibits the NC Marine Fisheries Commission from moving forward with shrimp trawling rulemaking until after a stakeholder group finishes and reports its study on shrimp trawl gear, no deadline.	.Senate Rules.

Other bad		
H173, Revisions to Outdoor Advertising Laws. John Bell (Wayne-R), Phil Shepard (Onslow-R), Pat McElraft (Carteret-R), Michael Wray (Halifax-D); 11 cosponsors.	Weakens billboard regulations: makes first vegetation permit last three years rather than one; weakens tree protections; and tilts advantage to billboard owners in disputes with local government and NCDOT.	Bad. House Commerce +2 ref, inc. Finance.
H56, Amend Environmental Laws. Pat McElraft (Carteret-R); Larry Yarborough (Person-R); 2 cosponsors.	As introduced, contains one provision restoring discretion to Dept. of Environmental Quality to require that map of potential inundation downstream for a dam be prepared by a licensed engineer. As modified in committee, allows DEQ to waive financial assurance requirements for some contaminated sites; expanded reporting requirements for tank spills to aboveground tanks; modifies reporting for wastewater spills; various other changes.	Neutral? Sched for House floor debate 4/24.

<p>H467, Agriculture and Forestry Nuisance Remedies. Jimmy Dixon (Duplin-R), Ted Davis (New Hanover-R), David Lewis (Harnett-R), and John Bell (Wayne-R).</p> <p>S460, Agriculture and Forestry Nuisance Remedies. Brent Jackson (Duplin-R), Dan Bishop (Mecklenburg-R), Bill Rabon (Brunswick-R).</p>	<p>Limits damages in nuisance lawsuits against agricultural and forestry operations to diminution in the 'fair value' of the plaintiff's property – so, no recovery for pain and suffering, or lost earning capacity from harms to health, for example.</p> <p>Amended on the House floor to apply prospectively only, not to pending cases.</p>	<p>Bad. House approved 4/10, sent to Senate.</p> <p>Senate Ag, Env.</p>
<p>H578, H579, H580, H581 Revisions to Outdoor Advertising Laws. David Lewis (Harnett-R), Jason Saine (Lincoln-R), Ken Goodman (Rockingham-D), Edward Haynes (Forsyth-D); roughly 14 cosponsors.</p>	<p>Each of these bills has various combinations of revisions to billboard laws, some overlapping.</p>	<p>H579, H580 favorably reported by House State & Local Govt. and sched for House floor debate. H578 in House Finance. H581 in House Finance.</p>
<p>S434, Amend Env Laws 2. Norm Sanderson (Craven-R), Bill Cook (Dare-R), Andy Wells (Catawba-R); 1 cosponsor.</p>	<p>As introduced, exempts yard waste from permitting requirements; forbids most local riparian buffer protections not required under TMDL or federal permit, and eliminates those when the permit expires. Senate committee amendments add: bag ban repeal; repeal of Catawba buffers, delay of Falls cleanup, other buffer changes, coastal stormwater loophole, invasive species provisions, others.</p>	<p>Bad. Senate Rules sched for 4/24.</p>
<p>S539, Environmental Regulatory Reform Act. Bill Cook (Dare-R), Norm Sanderson (Craven-R), Andrew Brock (Davie-R).</p>	<p>Likely to become a vehicle for a number of attacks on environmental rules. As introduced, includes some conforming changes to eminent domain law, and provisions mirroring the plastic bag ban repeal in H271.</p>	<p>Bad. Senate Ag, Env.</p>
<p>S615, North Carolina Farm Act of 2017. Brent Jackson (Duplin-R), Norm Sanderson (Craven-R), Andrew Brock (Davie-R); 2 cosponsors.</p>	<p>Likely to become an omnibus for various agriculture regulatory reform provisions. As introduced, eliminates local authority to zone large swine farms; allows livestock grazing fees to count against minimum Present Use Value income requirements; and defines 'abandoned livestock.'</p>	<p>Senate Rules.</p>

Other good, bipartisan sponsors		
<p>H363, Pollinator Protection Act. Pricey Harrison (Guilford-D), Chuck McGrady (Henderson-R), Grier Martin (Wake-D), Mitch Setzer (Catawba-R); 16 cosponsors.</p>	<p>Bans the sale and use of neonicotinoid pesticides by ordinary North Carolina residents; exempts licensed applicators, farmers, and veterinarians. Directs NC Pesticide Board to study whether it needs authority to regulate seeds treated with systemic insecticides, with a report due to the legislative Environmental Review Commission by November 1, 2017.</p>	<p>Good. House Rules.</p>

<p>H387, Corner Store Initiative. Yvonne Holly (Wake-D), Donny Lambeth (Forsyth-R), Pat McElraft (Carteret-R), Amos Quick (Guilford-D); 20 cosponsors.</p> <p>S498, Healthy Food Small Retailer Program. Don Davis (Greene-D), Louis Pate (Wayne-R); 1 cosponsor</p>	<p>Bills are not twins.</p> <p>Creates the Healthy Food Small Retailer Fund in the NC Dept. of Agriculture, to help promote greater availability of healthy foods in 'food deserts', through technical assistance and grants to counties and public health departments to work with small food retailers.</p>	<p>Good. Improves public health, builds local food system.</p> <p>House Agriculture, seq ref to House Approps.</p> <p>Senate Rules.</p>
<p>H767, NC Toxic-Free Kids Act. Pricey Harrison (Guilford-D), Chuck McGrady (Henderson-R); 2 cosponsors.</p>	<p>Prohibits the sale or distribution in North Carolina of products containing bisphenol-A, TRI, or phthalates; requires retailers and distributors to notify state of products with the regulated chemicals; directs DEQ and DHHS by January 2019 to submit a report on received notices to the NCGA.</p>	<p>House Rules.</p>
<p>H768, Ban Endangered Species Product Trafficking. Pricey Harrison (Guilford-D), Chuck McGrady (Henderson-R), Jason Saine (Lincoln-R); 1 cosponsor.</p>	<p>Bans importation or sale of ivory and rhinoceros horn in North Carolina, with a number of targeted exceptions; directs the NC Wildlife Resources Commission to adopt rules to implement the ban, and to submit a report on implementation to the NCGA by January 2022.</p>	<p>House Rules.</p>
<p>H825, Protect NC Children from Lead Exposure. Harry Warren (Rowan-R), John Faircloth (Guilford-R), Craig Horn (Union-R), Beverly Boswell (Dare-R).</p>	<p>Requires child care facilities and schools (K-12) to test water supplies for lead between 2018 and 2020, depending on the age of the facility. If lead is found above a 'trigger level', the child care center or school must notify teachers and parents, restrict access to the contaminated supply, and provide access to alternative clean water. The bill also sets up a testing process for water in buildings repurposed to serve as schools, including as charter schools.</p>	<p>House Env, +2 ref.</p>
<p>H845, NC Healthy Schools. Pricey Harrison (Guilford-D), John Bradford (Mecklenburg-R), Chuck McGrady (Henderson-R), Craig Horn (Union-R); 1 cosponsor.</p>	<p>Requires elementary and secondary schools with more than 50 students to establish a green cleaning policy and purchase "environmentally sensitive cleaning products", or submit an annual report to the Department of Public Instruction that stating that this is not feasible.</p>	<p>House Rules.</p>

Good bill, only Democratic sponsors		
<p>H175, DEQ/ Emphasize Urban Env't Issues. Kelly Alexander (Mecklenburg-D), Pricey Harrison (Guilford-D); 5 cosponsors.</p>	<p>Directs NC Dept of Environmental Quality (DEQ) to prioritize stream restoration and study air quality issues in 'urban empowerment zones' established by city ordinance in cities with population above 275K. Directs DEQ to host an annual conference focused on these zones, water and air quality, and water infrastructure.</p>	<p>House Env.</p>
<p>H292, Disapprove Cape Fear Rules. Billy Richardson (Cumberland-D), Pricey Harrison (Guilford-D); 5 cosponsors.</p>	<p>In 2016, the EMC reclassified the Lower Cape Fear as 'swamp waters', a change that defies the state definition of swamp waters and has the effect of hiding the impairment of the Lower Cape Fear for low dissolved oxygen (caused mostly by upstream confined animal feeding operations). This bill disapproves that change.</p>	<p>House Env, seq ref House Rules.</p>

HR401, Supporting Clean Energy/Green Jobs. Pricey Harrison (Guilford-D), John Autry (Mecklenburg-D), Susan Fisher (Buncombe-D), Jean Farmer-Butterfield (Wilson-D); 2 cosponsors.	Acknowledges climate change; expresses resolution that North Carolina should establish a transition to 100% clean renewable energy by December 31, 2050 to avoid 'climate catastrophe'.	House Rules.
H427, Efficient and Affordable Energy Rates. Verla Insko (Orange-D), Susan Fisher (Buncombe-D), Pricey Harrison (Guilford-D), John Autry (Mecklenburg-D); 7 cosponsors. S236, Efficient and Affordable Energy Rates. Mike Woodard (Durham-D), Valerie Foushee (Orange-D), Erica Smith-Ingram (Bertie-D).	Bills are not listed as twins, which means they differ in at least minor respects. Establishes tiered electricity rates, creates 'energy bank' financing mechanism for efficiency investments, and creates incentive for utility customers to buy Energy Star appliances.	House Energy Senate Rules
H687, Amend Various Coal Ash Provisions. Pricey Harrison (Guilford-D), John Ager (Buncombe-D), John Autry (Mecklenburg-D), Robert Reives (Lee-D); 1 cosponsor	. Bars Duke Energy from recovering the costs of cleaning up coal ash from ratepayers; tightens factors that must be considered by DEQ in review cleanup plans; removes requirement for DEQ to classify most of the pits not covered by consent orders as 'low risk'; requires dewatering, excavation, and reburial of coal ash in lined landfills on the same property as the current unlined pits.	House Rules.
H721, Omnibus Act Regarding Coal-Based Energy. Pricey Harrison (Guilford-D), Susan Fisher (Buncombe-R), John Autry (Mecklenburg-D), John Ager (Buncombe-D).	Forbids the burning of mountaintop removal coal at power plants in North Carolina; places a moratorium on the construction of any new coal-fired power plants in North Carolina that do not provide for carbon capture; directs the State Treasurer to divest state assets and the NC Retirement System from entities that invest in coal.	House Rules.
H722, Hog Lagoon Sunset/ Livestock Treatment. Pricey Harrison (Guilford-D), John Autry (Mecklenburg-D), Jean Farmer-Butterfield (Wilson-D), Carla Cunningham (Mecklenburg-D).	Phases out all swine waste management systems by September 2022, exempting those that use environmentally superior technologies or that are "part of a waste-to-energy facility producing renewable energy from the animal waste." Directs the NC Board of Agriculture to adopt rules to establish minimum humane standards for cows, poultry, and swine.	House Rules.
H733, Require Permit for Ginseng Harvesting. John Ager (Buncombe-D), Susan Fisher (Buncombe-D).	Directs the NC Plant Conservation Board to establish a permit for ginseng harvesting.	House Ag, +2 ref, inc Finance.
H786, NC Energy and Water Efficiency Schools Act. Pricey Harrison (Guilford-D), Susan Fisher (Buncombe-D), Becky Carney (Mecklenburg-D).	Directs schools to report energy and water use annually to the Department of Public Instruction (DPI), and directs DPI to publish the data. Directs local school districts to set improvement goals for facilities and minimum efficiency requirements for new construction and renovations. Authorizes counties with revolving loan funds for energy improvements to lend to local school districts.	House Rules +2 ref.
H805, Disclosure of Cosmetics Ingredients. Mary Belk (Mecklenburg-D), Pricey Harrison (Guilford-D), Cynthia Ball (Wake-D), Susan Fisher (Buncombe-D).	Requires ingredient disclosure for all cosmetics manufactured, distributed, or offered for sale in North Carolina; directs the Board of Agriculture to promulgate rules to implement that requirement.	House Rules.

H811, Energy Savings Incentives/ State Agencies. Susan Fisher (Buncombe-D), Pricey Harrison (Guildford-D), John Autry (Mecklenburg-D), Deb Butler (New Hanover-D).	Allows agencies to keep monies saved from energy and water efficiency upgrades rather than losing them to reductions in their recurring budgets, as is now the practice.	House Reg Reform, seq ref House Approps.
H848, School Energy Savings Act of 2017. Rodney Moore (Mecklenburg-D).	Directs local boards of education to develop plans to ensure that 60% of the energy needs of new schools built after January 2030 are met from renewable sources.	House Rules.
S170, S171, S172, Remove Limits on Light Rail Funding. Joel Ford (Mecklenburg-D); 2 cosponsors	The three bills remove various caps on state funding for light rail. S170 removes a cap that prevents the state from funding more than 10% of a light rail project. S172 removes a requirement that state funding for a light rail project not comprise more than 10% of the regional funding allocation. S171 removes both.	Senate Rules.
S203, Establish Ownership of Mineral Rights. Mike Woodard (Durham-D), Valerie Foushee (Orange-D); 1 cosponsor.	Automatically merges severed mineral interests with the surface estate where the mineral rights owner fails to work the right or list their ownership for tax purposes for at least ten years.	Senate Rules.
S268, Stormwater/Flood Control Activities. Floyd McKissick (Durham-D).	In 2014, the NCGA gave Mecklenburg and Wake authority to condemn and manage properties to prevent or mitigate flooding; this bill extends that authority to all cities in Mecklenburg, Wake, Guilford, Forsyth, and Durham Counties.	Senate Rules.
S300, Inclusionary Zoning - Durham. Floyd McKissick (Durham-D).	Authorizes Durham County and cities within it to adopt inclusionary zoning 'to supplement the availability of affordable housing.'	Senate Rules.