

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 811
PROPOSED COMMITTEE SUBSTITUTE S811-PCS55388-MD-5

Short Title: Fuel Rationing Authority for Governor.

(Public)

Sponsors:

Referred to:

March 25, 2009

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE GOVERNOR TO IMPOSE FUEL RATIONING
MEASURES DURING A STATE OF DISASTER, A LOCAL STATE OF EMERGENCY,
OR AN ABNORMAL MARKET DISRUPTION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 Chapter 166A of the General Statutes is amended by adding a new section to read:

"§ 166A-6.03. Fuel rationing authority.

(a) In addition to any other powers conferred on the Governor by law, during a triggering event the Governor shall have the power to establish a system of rationing or other controls over fuel. These measures may extend to all parties in the chain of distribution, including a supplier, wholesaler, distributor, or retail seller of fuel. This authority shall include the power to administer and enforce a similar federal order or regulation.

(b) As used in this section, the term 'triggering event' means any of the following:

- (1) The declaration of a state of emergency pursuant to G.S. 166A-8 or Article 36A of Chapter 14 of the General Statutes.
- (2) The proclamation of a state of disaster pursuant to G.S. 166A-6.
- (3) The finding of an abnormal market disruption, as that term is defined in G.S. 75-38(e), with respect to fuel."

SECTION 2. G.S. 166A-6(c) reads as rewritten:

"(c) In addition, during a state of disaster, with the concurrence of the Council of State, the Governor has the following powers:

...

- (2) To establish a system of economic controls over all resources, materials and services to include food, clothing, shelter, ~~fuel~~, rents and wages, including the administration and enforcement of any rationing, price freezing or similar federal order or regulation; and to establish a system of price freezing over fuel.

...."

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

