

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 76

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 1 of 10

Comm. Sub. [YES]
Amends Title [NO]
Sixth Edition

Date _____, 2013

Representative Hager

1 moves to amend the bill on page 11, line 31, through page 20, line 38,
2 by rewriting those lines to read:

3
4 **"PART VIII. ENERGY POLICY ACT AND ENERGY POLICY COUNCIL**
5 **AMENDMENTS**

6 **SECTION 8.(a)** G.S. 113B-1 reads as rewritten:

7 **"§ 113B-1. Legislative findings and purpose.**

8 Upon investigation the General Assembly hereby finds that:

- 9 (1) Energy is essential to the health, safety and welfare of the people of this
10 State and to the workings of the State ~~economy~~; economy.
- 11 (2) ~~Growth in the consumption of energy resources is in some part due to~~
12 ~~wasteful, uneconomic and inefficient uses of energy and a continuation of~~
13 ~~this trend will adversely affect the future social, economic and~~
14 ~~environmental development of North Carolina;~~
- 15 (3) It is ~~the responsibility of State government to encourage~~ in the State's best
16 interest to support the development of a reliable and adequate supply of
17 energy for North Carolina at a level consistent with such energy needs
18 required for the protection of public health and safety, and for the promotion
19 of the general welfare; and that is secure, stable, and predictable.
- 20 (3a) It is in the State's best interest to support the exploration, development, and
21 production of domestic energy supplies, preferably from the resources within
22 the State or region and most certainly from within the country.
- 23 (3b) It is the duty of State government to protect and preserve the State's natural
24 resources, cultural heritage, and quality of life and, above all, the public
25 health and safety of its residents during the exploration, development, and
26 production of domestic energy resources.
- 27 (4) The State ~~has not provided~~ must provide the basis for development of a
28 long-range unified energy policy to encompass comprehensive energy
29 resource planning and efficient management of ~~the rate of consumption of~~
30 existing energy resources in relation to economic growth, to effectively meet
31 an energy crisis, to encourage development of alternative sources of
32 energy; energy that are capable of achieving a positive benefit-to-cost ratio.



* S 7 6 - A S B - 5 1 - V - 1 *

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 76

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 2 of 10

1 and to ~~prudently conserve~~ ensure efficient utilization of energy resources in
2 a manner consistent with assuring a reliable and adequate supply of energy
3 for North ~~Carolina.~~ Carolina, including active support and collaboration with
4 the federal government to ensure access to the nation's energy resources
5 located on the outer continental shelf directly adjacent to the State's coastal
6 waters.

- 7 (5) It is the expressed intent of this Chapter to provide for development of such
8 a unified domestic energy policy for the State of North ~~Carolina.~~ Carolina as
9 part of a nationwide effort for increased domestic energy production in the
10 interest of national security and stability."

11 **SECTION 8.(b)** G.S. 113B-2 reads as rewritten:

12 **"§ 113B-2. Creation of Energy Policy Council; purpose of Council.**

13 (a) There is hereby created a council to advise and make recommendations on
14 increasing domestic energy policy ~~exploration, development, and production within the State~~
15 and region to the Governor and the General Assembly to be known as the Energy
16 Policy Assembly. The Council which ~~shall be located within the Department of Commerce of~~
17 Environment and Natural Resources.

18 (b) Except as otherwise provided in this Chapter, the powers, duties and functions of
19 the Energy Policy Council shall be as prescribed by the Secretary of Environment and Natural
20 Resources. ~~Commerce.~~

21 (c) The Energy Policy Council shall serve as the central energy policy planning body of
22 the State and shall communicate and cooperate with federal, State, regional and local bodies
23 and agencies to the end of effecting a coordinated energy policy."

24 **SECTION 8.(c)** G.S. 113B-3 reads as rewritten:

25 **"§ 113B-3. Composition of Council; appointments; terms of members; qualifications.**

26 (a) The Energy Policy Council shall consist of ~~46~~ 13 members to be appointed as
27 follows:

28 (1) ~~Two members of the North Carolina House of Representatives to be~~
29 ~~appointed by the Speaker of the House of Representatives;~~

30 (2) ~~Two members of the North Carolina Senate to be appointed by the President~~
31 ~~Pro Tempore of the Senate;~~

32 (2a) The Secretary of Commerce.

33 (2b) The Secretary of Environment and Natural Resources.

34 (3) ~~Twelve~~ Eleven public members who are citizens of the State of North
35 ~~Carolina to be appointed by the Governor. The Governor shall designate one~~
36 ~~of the public members as chair of the Council.~~ Carolina and who are
37 appointed in accordance with subsection (c) of this section.

38 (b) Appointments to the Energy Policy Council shall be made by ~~July 15, 2009, July 1,~~
39 ~~2013, and each such appointee shall serve until January 31, 2011. Thereafter, the appointed~~
40 ~~members of the General Assembly shall serve two year terms, and the appointed public~~
41 ~~members shall serve four year terms. A member of the Energy Policy Council shall continue to~~
42 ~~serve until his successor is duly appointed, but such holdover shall not affect the expiration date~~
43 ~~of such succeeding term. The terms of office of members of the Council are three years. The~~

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 76

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 3 of 10

1 terms of members appointed under subdivisions (1), (4), and (6) of subsection (c) of this
2 section shall expire on June 30 of years evenly divisible by three. The terms of members
3 appointed under subdivisions (2), (5), (8), and (10) of subsection (c) of this section shall expire
4 on June 30 of years that precede by one year those years that are evenly divisible by three. The
5 terms of members appointed under subdivisions (3), (7), (11), and (12) of subsection (c) of this
6 section shall expire on June 30 of years that follow by one year those years that are evenly
7 divisible by three. Appointments made by the President Pro Tempore of the Senate and the
8 Speaker of the House of Representatives shall be allowed when the General Assembly is not in
9 session.

10 (c) ~~The public members of the Energy Policy Council shall have the following~~
11 ~~qualifications; qualifications and shall be appointed as follows:~~

12 (1) ~~One member shall be experienced in the electric power industry; a~~
13 ~~representative of an investor-owned natural gas public utility, to be~~
14 ~~appointed by the Governor.~~

15 (2) ~~One member shall be experienced in the natural gas industry; have~~
16 ~~experience in natural gas and associated hydrocarbon exploration,~~
17 ~~development, and production, to be appointed by the Governor.~~

18 (2a) ~~One member shall be experienced in energy policy matters;~~

19 (3) ~~One member shall be experienced in alternative fuels and biofuels; a~~
20 ~~representative of a rural electric membership corporation formed in~~
21 ~~accordance with G.S. 117-8, to be appointed by the Speaker of the House of~~
22 ~~Representatives.~~

23 (4) ~~One member shall be experienced in energy efficient building design or~~
24 ~~construction; an energy economist or a person with experience in the~~
25 ~~financing or business development of an energy-related business, to be~~
26 ~~appointed by the President Pro Tempore of the Senate.~~

27 (5) ~~One member shall be experienced in environmental protection; have~~
28 ~~experience in energy policy, to be appointed by the President Pro Tempore~~
29 ~~of the Senate.~~

30 (6) ~~One member who is engaged in a business providing renewable energy or~~
31 ~~other energy services; shall be an industrial energy consumer, to be appointed~~
32 ~~by the Speaker of the House of Representatives.~~

33 (7) ~~One member shall be knowledgeable of alternative and renewable sources of~~
34 ~~energy; energy, to be appointed by the Governor.~~

35 (8) ~~One member who, at the time of appointment, is a county commissioner; or~~
36 ~~elected municipal officer; provided, the member's term on the Council shall~~
37 ~~expire immediately in the event that he or she vacates office as a county~~
38 ~~commissioner or municipal officer; shall have experience in trucking, rail, or~~
39 ~~shipping transportation, to be appointed by the Speaker of the House of~~
40 ~~Representatives.~~

41 (9) ~~Repealed by Session Laws 2009-446, s. 4, effective August 7, 2009.~~

42 (10) ~~One member shall be knowledgeable in the finance, business development,~~
43 ~~or technology development of energy related business; One member shall~~

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 76

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 4 of 10

- 1 have experience in energy research and development, to be appointed by the
2 President Pro Tempore of the Senate.
3 (11) ~~One member shall be experienced in low income energy policy matters or~~
4 ~~low income residential weatherization.~~One member shall have experience in
5 environmental management, to be appointed by the Speaker of the House of
6 Representatives.
7 (12) ~~One member shall be experienced in the petroleum industry.~~One member
8 shall have experience in the biofuels industry, to be appointed by the
9 President Pro Tempore of the Senate."

10 **SECTION 8.(d)** G.S. 113B-4 reads as rewritten:

11 **"§ 113B-4. Chairman of Council; replacement; reimbursement of members.**

12 (a) ~~On August 15, 2009, on January 31, 2011, and every four years thereafter, the~~The
13 Governor shall appoint a chair of the Council. The chair shall serve for a term of two years and
14 may serve no more than two terms in total.

15 (b) In case of a vacancy in the membership on the Energy Policy Council prior to the
16 expiration of a member's term, a successor shall be appointed within 30 days of such vacancy
17 for the remainder of the unexpired term by the appropriate official pursuant to the provisions of
18 G.S. 113B-3.

19 (c) Members of the Energy Policy Council shall be reimbursed for their services
20 pursuant to the provisions of G.S. 138-5."

21 **SECTION 8.(e)** G.S. 113B-6 reads as rewritten:

22 **"§ 113B-6. General duties and responsibilities.**

23 The goal of the Energy Policy Council is to identify and utilize all domestic energy
24 resources in order to ensure a secure, stable, and predictable energy supply while ensuring the
25 protection and preservation of the State's natural resources, cultural heritage, and quality of life.

26 The Energy Policy Council shall have the following general duties and responsibilities:

- 27 (1) To develop and recommend to the Governor and the General Assembly a
28 comprehensive long-range State energy policy that addresses requirements
29 in the short term (10 years), in the midterm (25 years), and in the long term
30 (50 years) to achieve maximum effective management and use of present
31 and future sources of energy, such policy to include but not be limited to
32 energy efficiency, renewable and alternative sources of energy, research and
33 development into alternative energy technologies, and improvements to the
34 State's energy infrastructure and energy economy; economy, including smart
35 grid and domestic energy resources that shall include at least natural gas,
36 coal, hydroelectric power, solar, wind, nuclear energy, and biomass. For
37 utilities regulated under Chapter 62 of the General Statutes, the policy
38 developed under this subdivision shall be consistent with the analysis and
39 plan developed under G.S. 62-110.1(c).
40 (2) To conduct an ongoing assessment of the opportunities and constraints
41 presented by various uses of all forms of energy to facilitate the expansion of
42 the domestic energy supply and to encourage the efficient use of all such
43 energy forms in a manner consistent with State energy ~~policy;~~policy.

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

(3) To continually review and coordinate all State government research, education and management programs relating to energy ~~matters and matters,~~ to continually educate and inform the general public regarding such energy ~~matters; matters,~~ and to actively engage in discussions with the federal government, its agencies, and its leaders to identify opportunities to increase domestic energy supply within North Carolina and its adjacent offshore waters.

(4) To recommend to the Governor and to the General Assembly needed energy legislation and rule making and to recommend for implementation such modifications of energy policy, ~~plans~~ plans, and programs as the Council considers necessary and desirable."

SECTION 8.(f) G.S. 113B-7 reads as rewritten:

"§ 113B-7. Energy Efficiency Program; components.

(a) The Energy Policy Council shall prepare a recommended Energy Efficiency Program for transmittal to the Governor, the initial plan to be completed by January 30, 1976.

(b) The Energy Efficiency Program shall be designed to assure the public health and safety of the people of North Carolina and to encourage and promote conservation of energy through reducing wasteful, inefficient or uneconomical uses of energy resources.

(c) The Energy Efficiency Program shall include but not be limited to the following recommendations:

- (1) Recommendations to the Building Code Council for lighting, insulation, climate control systems and other building design and construction standards which increase the efficient use of energy and are economically feasible to implement;
- (2) Recommendations to the Building Code Council for per unit energy requirement allotments based upon square footage for various classes of buildings which would reduce energy consumption, yet are both technically and economically feasible and not injurious to public health and safety;
- (3) Recommendations for minimum levels of operating efficiency for all appliances whose use requires a significant amount of energy based upon both technical and economic feasibility considerations;
- (4) Recommendations for State government purchases of supplies, vehicles and equipment and such operating practices as will make possible more efficient use of energy;
- (5) Recommendations on energy conservation policies, programs and procedures for local units of government;
- (6) Any other recommendations which the Energy Policy Council considers to be a significant part of a statewide conservation effort and which include provisions for sufficient incentives to further energy conservation;
- (7) An economic and environmental impact analysis of the recommended program.

(d) In addition to specific conservation recommendations, the Energy Efficiency Program shall contain proposals for implementation of such recommendations as can be carried

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 6 of 10

1 out by executive order. Upon completion of a draft recommended program, the Council shall
2 arrange for its distribution to interested parties and shall make the program available to the
3 public and the Council further shall set a date for public hearing on said program.

4 (e) Upon completion of the Energy Efficiency Program, the Council shall transmit said
5 program, to be known as the State Energy Efficiency Program, to the Governor for approval or
6 disapproval. Upon approval, the Governor shall assign administrative responsibility for such
7 implementation as can be carried out by executive order to appropriate agencies of State
8 government, and submit to the General Assembly such proposals which require legislative
9 action for implementation. The Governor shall have the authority to accept, administer, and
10 enforce federal programs, program measures and permissive delegations of authority delegated
11 to the Governor by the President of the United States, Congress, or the United States
12 Department of Energy, on behalf of the State of North Carolina, which pertain to the
13 conservation of energy resources.

14 (f) The Governor shall transmit the approved Energy Efficiency Program to the
15 President Pro Tempore of the Senate, to the Speaker of the House of Representatives, to the
16 heads of all State agencies and shall further seek to publicize such plan and make it available to
17 all units of local government and to the public at large.

18 (g) At least every two years and whenever such changes take place as would
19 significantly affect energy supply or demand in North Carolina, the Energy Policy Council
20 shall review and, if necessary, revise the Energy Efficiency Program, transmitting such revised
21 plan to the Governor pursuant to the procedures contained in subsections (e) and (f) of this
22 section."

23 **SECTION 8.(g)** G.S. 113B-9 reads as rewritten:

24 **"§ 113B-9. Emergency Energy Program; components.**

25 (a) The Energy Policy Council shall, in accordance with the provisions of this Article,
26 develop contingency and emergency plans to deal with possible shortages of energy to protect
27 public health, safety and welfare, such plans to be compiled into an Emergency Energy
28 Program.

29 (b) ~~Within four months of July 1, 1975:~~If required for an update of the program
30 provided under subsection (j) of this section:

31 (1) Each electric utility and natural gas utility in the State shall prepare and
32 submit to the Energy Policy Council a proposed emergency curtailment plan
33 setting forth proposals for identifying priority loads or users in the event of
34 the declaration of an energy crisis pursuant to G.S. 113B-20, and proposals
35 for supply allocation to such priority loads or users. Utilities regulated under
36 Chapter 62 of the General Statutes may satisfy this requirement by
37 submitting the General Load Reduction and System Restoration Plan that is
38 prepared annually for the Utilities Commission.

39 (2) Each major oil producer doing business in this State as determined by the
40 Energy Policy Council shall prepare and submit to the Energy Policy
41 Council an analysis of how any national supply curtailment pursuant to
42 federal regulations shall affect the supply for North Carolina and how

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 76

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 7 of 10

1 priority users will be determined and available supplies allocated to such
2 users.

3 (c) The Energy Policy Council shall encourage the preparation of joint emergency
4 curtailment plans and analyses. If such cooperative plans and analyses are developed between
5 two or more utilities, major producers or by an association of such companies, the joint plans or
6 analyses may be submitted to the Energy Policy Council in lieu of information required
7 pursuant to subsection (b) of this section.

8 (d) The Energy Policy Council shall collect from all relevant governmental agencies
9 any existing contingency plans for dealing with sudden energy shortages or information related
10 thereto.

11 (e) The Energy Policy Council shall hold one or more public hearings, investigate and
12 review the plans submitted pursuant to this section, and, within nine months after July 1, 1975,
13 the Energy Policy Council shall approve and recommend to the Governor guidelines for
14 emergency curtailment to be known as the Emergency Energy Program and to be implemented
15 upon adoption by the Governor after the declaration of an energy crisis and pursuant to
16 G.S. 113B-20 and 113B-23. Said program shall be based upon the plans presented to the
17 Energy Policy Council, upon independent analysis and study by the Council, and upon
18 information provided at the hearing or hearings, provided, however, that they are consistent
19 with such federal programs and regulations as are already in effect at that time.

20 (f) The Emergency Energy Program shall provide for the maintenance of essential
21 services, the protection of public health, safety, and welfare, and the maintenance of a sound
22 basic State economy. For utilities regulated under Chapter 62 of the General Statutes, the
23 program shall be consistent with the General Load Reduction and System Restoration Plan that
24 is prepared annually for the Utilities Commission. Provisions also shall be made in said
25 program to differentiate curtailment of energy consumption by users on the basis of ability to
26 accommodate such curtailments, and shall also include, but not be limited to, the following:

- 27 (1) A variety of strategies and staged conservation measures of increasing
28 intensity and authority to reduce energy use during an energy crisis, as
29 defined in G.S. 113B-20 and guidelines and criteria for allocation of energy
30 sources to priority users. The program shall contain alternative conservation
31 actions and allocation plans to reasonably meet various foreseeable shortage
32 circumstances and to allow a choice of appropriate responses;
- 33 (2) Evidence that the program is consistent with requirements of federal
34 emergency energy conservation and allocation laws and regulations;
- 35 (3) Proposals to assist such individuals, institutions, agriculture and businesses
36 which have engaged in energy saving measures;

37 (g) The Energy Policy Council shall carry out such investigations and studies as are
38 necessary to determine if and when potentially serious shortages of energy are likely to affect
39 North Carolina and the Council shall make recommendations to the Governor concerning
40 administrative and legislative actions required to avert such shortages, such recommendations
41 to be included as a section of the Emergency Energy Program.

42 (h) In addition to the above information and recommendations, the program shall
43 contain proposals for implementation of such recommendations which include procedures,

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 76

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 8 of 10

1 rules and regulations and agency administrative responsibilities for implementation, and shall
2 further contain procedures for fair and equitable review of complaints and requests for special
3 exemptions from emergency conservation measures or emergency allocations. Upon
4 completion of a draft recommended plan, the Council shall arrange for its distribution to
5 interested parties and shall make such plan available to the public and the Council further shall
6 set a date for public hearing on said plan.

7 (i) Upon completion of the Emergency Energy Allocation Program, the Council and
8 the Governor shall follow the procedures as outlined in G.S. 113B-7(e) and (f).

9 (j) The Council shall update the Emergency Energy Allocation Program ~~said program~~
10 ~~upon a finding by it that an update is justified and justified.~~ The Council shall follow the
11 procedures for adoption pursuant to G.S. 113B-7(e) and (f).

12 (k) The Governor shall have the authority to accept, administer and enforce federal
13 programs, program measures and permissive delegations of authority delegated to the Governor
14 by the President of the United States, Congress, or the United States Department of Energy, on
15 behalf of the State of North Carolina, which pertain to actions necessary to deal with an actual
16 or impending energy shortage."

17 **SECTION 8.(h)** G.S. 113B-11 reads as rewritten:

18 "**§ 113B-11. Powers and authority.**

19 (a) The Energy Policy Council is authorized to secure directly from any officer, office,
20 department, commission, board, bureau, institution and other agency of the State and its
21 political subdivisions any information it deems necessary to carry out its functions; and all such
22 officers and agencies shall cooperate with the Council and, to the extent permitted by law,
23 furnish such information to the Council as it may request.

24 ...

25 (e) The Division of Energy, Mineral, and Land Resources of the Department of
26 ~~Commerce~~ Environment and Natural Resources shall provide the staffing capability to the
27 Energy Policy Council so as to fully and effectively develop recommendations for a
28 comprehensive State energy policy as contained in the provisions of this Article. The Utilities
29 Commission is hereby authorized to make its staff available to the Council to assist in the
30 development of a State energy policy."

31 **SECTION 8.(i)** G.S. 113B-12 reads as rewritten:

32 "**§ 113B-12. Annual reports; contents.**

33 (a) ~~Beginning January 1, 1977, and every year thereafter, No later than January 1 of~~
34 every even-numbered year, the Energy Policy Council shall transmit to the Governor, the
35 Speaker of the House of Representatives, the President Pro Tempore of the Senate, the
36 Environmental Review Commission, the Joint Legislative Commission on Energy Policy, and
37 the chairman of the Utilities Commission ~~Commission and the appropriate chairmen of the~~
38 ~~House and Senate committees concerned with energy matters,~~ a comprehensive report
39 providing a general overview of energy conditions in the State. ~~On January 1, 1976, the Energy~~
40 ~~Policy Council shall transmit a progress report to the public officials named above.~~

41 (b) The report shall include, but not be limited to, the following:

42 (1) An overview of statewide growth and development as they relate to future
43 requirements for energy, including patterns of urban and metropolitan

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

1 expansion, shifts in transportation modes, modifications in building types
2 and design, and other trends and factors which, as determined by the
3 Council, will significantly affect energy needs;

4 (2) The level of statewide and multi-county regional energy demand for a five,
5 10- and 20-year forecast period which, in the judgment of the Council, can
6 reasonably be met, with proposals as to possible energy supply sources;

7 (3) An assessment of growth trends in energy consumption and production and
8 an identification of potential adverse social, economic, or environmental
9 impacts which might be imposed by continuation of the present trends,
10 including energy costs to consumers, significant increases in air, water, and
11 other forms of pollution, threats to public health and safety, and loss of
12 scenic and natural areas;

13 (4) An analysis of the role of energy efficiency, renewable energy,
14 improvements to the State's energy infrastructure, and other means in
15 meeting the State's current and projected energy demand;

16 (5) Repealed by Session Laws 2009-446, s. 9, effective August 7, 2009.

17 (6) Recommendations to the Governor and the General Assembly for additional
18 administrative and legislative actions on energy matters;

19 (7) A summary of the Council's activities since ~~its inception~~, the last report, a
20 description of major plans developed by the Council, an assessment of plan
21 implementation, and a review of Council plans and programs for the coming
22 biennium."

23 **SECTION 8.(j)** G.S. 113B-21(a) reads as rewritten:

24 "(a) ~~There is hereby created~~ Upon the declaration of an energy crisis by the Governor, a
25 Legislative Committee on Energy Crisis Management shall be created to consist of the Speaker,
26 ~~as chairman, the Speaker pro tempore~~ Pro Tempore of the House of ~~Representatives~~
27 ~~and Representatives,~~ the President ~~pro tempore~~ Pro Tempore of the Senate, and the majority
28 leader of the Senate. The Lieutenant Governor shall serve as chair and shall be a nonvoting ex
29 officio member, provided, however, that ~~he the chair~~ shall vote to break a tie."

30 **SECTION 8.(k)** G.S. 113B-23 reads as rewritten:

31 "**§ 113B-23. Administration of plans and procedures.**

32 (a) Upon the declaration of an energy crisis, pursuant to G.S. 113B-20, the Energy
33 Policy Council shall become the emergency energy coordinating body for the State and shall
34 carry out the following duties:

35 (1) Identify and determine the nature and severity of expected energy shortages;
36 (2) Provide for daily communications with and gather information from
37 significant energy producers, distributors, transporters and major consumers,
38 as determined by the Energy Policy Council, to carry out its responsibilities
39 pursuant to this section;

40 (3) Provide data, carry out continuing assessments of the crisis situation, and
41 make recommendations to the Governor and to the Legislative Committee
42 on Energy Crisis Management for further action.

ADOPTED

AMENDMENT NO. A2

(to be filled in by
Principal Clerk)

S76-ASB-51 [v.1]

Page 10 of 10

1 (b) Upon the declaration of an energy crisis, the Governor shall order the Energy Policy
2 Council, the Utilities Commission, the Attorney General and other appropriate State and local
3 agencies to implement and enforce the Emergency Energy Program pursuant to G.S. 113B-9
4 and any emergency rules, orders or regulations approved pursuant to G.S. 113B-22.

5 (c) Upon the declaration of an energy crisis, the Governor may employ such measures
6 and give such direction to State and local offices and agencies as may be reasonable and
7 necessary for the purpose of securing compliance with the provisions of this Article and with
8 emergency rules, orders and regulations issued pursuant to G.S. 113B-22."

9 **SECTION 8.(I)** Notwithstanding G.S. 113B-3 or any other law to the contrary, the
10 terms of all members of the Energy Policy Council serving as of the effective date of this act
11 shall expire on the effective date of this act or on June 30, 2013, whichever comes first. Initial
12 appointments shall be made pursuant to subsection (c) of G.S. 113B-3, as amended by
13 subsection (e) of Section 6 of this act, no later than July 1, 2013."; and

14
15 on page 21, line 30,
16 by rewriting that line to read:

17
18 "G.S. 113B-12, as amended by subsection (i) of Section 8 of this act, shall be transmitted on
19 or".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**