

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 23
HOUSE BILL 150

AN ACT TO TRANSFER THE ENERGY DIVISION AND THE ENERGY POLICY COUNCIL FROM THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS TO THE DEPARTMENT OF COMMERCE.

The General Assembly of North Carolina enacts:

Section 1. The following provisions of Article 1 of Chapter 113B, as the same appears in the 1975 Supplement to 1975 Replacement Volume 3A of the General Statutes, are rewritten as follows:

(1) G.S. 113B-2(a) is rewritten to read as follows:

"(a) There is hereby created a council to advise and make recommendations on energy policy to the Governor and the General Assembly to be known as the Energy Policy Council which shall be located within the Department of Commerce."

(2) G.S. 113B-3(a)(4) is rewritten to read as follows:

"(4) The Chairman of the North Carolina Utilities Commission, the Secretary of the Department of Natural and Economic Resources, the Commissioner of Agriculture and the Secretary of Commerce."

(3) G.S. 113B-11(e) is rewritten to read as follows:

"(e) The Energy Division of the Department of Commerce shall provide the staffing capability to the Energy Policy Council so as to fully and effectively develop recommendations for a comprehensive State energy policy as contained in the provisions of this Article. The Utilities Commission is hereby authorized to make its staff available to the council to assist in the development of a State Energy Policy."

(4) G.S. 113B-21(a), as the same appears in the 1975 Supplement to 1975 Replacement Volume 3A of the General Statutes, is rewritten to read as follows:

"(a) There is hereby created a Legislative Committee on Energy Crisis Management to consist of the Speaker, as chairman, the Speaker pro tempore of the House of Representatives and the President pro tempore and the assistant majority leader of the Senate. The Lieutenant Governor shall serve as a nonvoting ex officio member provided, however, that he shall vote to break a tie."

(5) G.S. 113B-11(c) is amended by deleting at lines 4-5 thereof the words "Military and Veterans Affairs" and by inserting in lieu thereof the word "Commerce".

Sec. 2. G.S. 113B-2(b), as the same appears in the 1975 Supplement to 1975 Replacement Volume 3A of the General Statutes, is hereby rewritten to read as follows:

"Except as otherwise provided in this Chapter, the powers, duties and functions of the Energy Policy Council shall be as prescribed by the Secretary of Commerce."

Sec. 3. Part 3 of Article 5 of Chapter 143B, as the same appears in the 1975 Supplement to Replacement Volume 3C of the General Statutes, is hereby repealed.

Sec. 4. Article 15 of Chapter 143A is hereby amended by adding two sections to read as follows:

"§ 143A-180.1. **Energy Division.** — There is hereby created in the Department of Commerce a division to be known as the Energy Division.

"§ 143A-180.2. **Organization.** — The division shall be organized and shall have such powers, duties and functions as prescribed by the Secretary of Commerce."

Sec. 5. G.S. 113B-3(a), as the same appears in the 1975 Supplement to 1975 Replacement Volume 3A of the General Statutes, is hereby amended by deleting the number "14" at line 1 thereof and by inserting in lieu thereof the number "15".

Sec. 6. All records, personnel, property, and unexpended balances of appropriations of the Energy Division of the Department of Military and Veterans Affairs are hereby transferred to the Energy Division of the Department of Commerce.

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, 1977.