

NORTH CAROLINA GENERAL ASSEMBLY  
1981 SESSION

CHAPTER 701  
HOUSE BILL 459

AN ACT TO PERMIT THE GOVERNOR TO ACCEPT PERMISSIVE FEDERAL DELEGATIONS OF AUTHORITY TO TAKE ACTIONS NECESSARY TO MANAGE AND TO DEAL WITH AN ACTUAL OR IMPENDING ENERGY RESOURCE SHORTAGE, TO ADD TO THE MEMBERSHIP OF THE ENERGY POLICY COUNCIL AND TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN DATA RECEIVED BY THE ENERGY DIVISION.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 113B-7(e), as the same appears in Replacement Volume 3A, Part II, is amended by adding the following sentence immediately following the period in line 7:

"The Governor shall have the authority to accept, administer, and enforce federal programs, program measures and permissive delegations of authority delegated to the Governor by the President of the United States, Congress, or the United States Department of Energy, on behalf of the State of North Carolina, which pertain to the conservation of energy resources."

**Sec. 2.** G.S. 113B-8, as the same appears in Replacement Volume 3A, Part II, is amended by adding new subsections (g) and (h) which shall read as follows:

"(g) The Governor shall have the authority to accept, administer and enforce federal programs, program measures, and permissive delegations of authority delegated to the Governor by the President of the United States, Congress, or the United States Department of Energy, on behalf of the State of North Carolina, which pertain to management of energy resources.

(h) The Governor shall have the authority to accept, administer and enforce the delegation of authority delegated to the State by the Emergency Petroleum Allocation Act and the Emergency Energy Conservation Act of 1979 and any orders, rules, and regulations issued pursuant to those acts as well as any succeeding federal programs, program measures, laws, orders, or regulations relating to the allocation, conservation, consumption, management or rationing of energy resources."

**Sec. 3.** G.S. 113B-9, as the same appears in Replacement Volume 3A, Part II, is amended by deleting subsection (f)(4) in its entirety and adding a new subsection (k) which shall read as follows:

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

**Sec. 4.** G.S. 113B-3(a), as the same appears in Volume 3A, Part II of the 1979 Cumulative Supplement to the General Statutes, is hereby amended by substituting the number "18" in lieu of the number "16" in line 2 and by substituting the word "Nine" in lieu of the word "Seven" immediately following the number "(3)" in line 8.

**Sec. 5.** G.S. 113B-3(c), as the same appears in Replacement Volume 3A, Part II of the General Statutes, is hereby amended by adding the following language after subdivision (7):

- "(8) One such member who, at the time of appointment, is a county commissioner; provided, such member's term on the Council shall expire immediately in the event that he or she vacates office as a county commissioner;
- (9) One such member who, at the time of appointment, is an elected municipal official; provided, such member's term on the Council shall expire immediately in the event that he or she vacates office as an elected municipal official."

**Sec. 6.** Article 10, Part 8 of the General Statutes, as the same appears in 1978 Replacement Volume 3C, is hereby amended by the addition of a new section to read as follows:

"§ **143B-450.1.** The Energy Division shall keep confidential any individually identifiable energy information to the extent necessary to comply with the confidentiality requirements of the reporting agency, and any such information shall not be subject to the public disclosure requirements of G.S. 132-6. 'Individually identifiable energy information' shall be defined as any individual record or portion of a record or aggregated data containing energy information about a person or persons obtained from any source, the disclosure of which could reasonably be expected to reveal information about a specific person."

**Sec. 7.** This act shall become effective July 1, 1981.

In the General Assembly read three times and ratified, this the 26th day of June, 1981.