

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1191*

Short Title: Global Warming/Climate Change. (Public)

Sponsors: Representatives Haire, Hackney, Stiller, Underhill (Primary Sponsors); Alexander, Faison, Glazier, Goforth, Harrison, Insko, Luebke, McLawhorn, Rapp, Ross, Wainwright, Weiss, and Womble.

Referred to: Environment and Natural Resources.

April 12, 2005

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE LEGISLATIVE COMMISSION ON GLOBAL
2 CLIMATE CHANGE AND TO (1) DIRECT THE COMMISSION TO STUDY
3 ISSUES RELATED TO GLOBAL WARMING AND THE EMERGING CARBON
4 ECONOMY, (2) DEVELOP A RECOMMENDED GLOBAL WARMING
5 POLLUTANT REDUCTION GOAL, AND (3) RECOMMEND A PROCESS FOR
6 THE DEVELOPMENT OF A STATE CLIMATE ACTION PLAN.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Commission Established; Membership. – The Legislative
10 Commission on Global Climate Change is hereby established: The Commission shall
11 consist of 30 members as follows:

- 12 (1) Two members of the Senate appointed by the President Pro Tempore
13 of the Senate.
- 14 (2) Two members of the House of Representatives appointed by the
15 Speaker of the House of Representatives.
- 16 (3) Two members of the public at large appointed by the President Pro
17 Tempore of the Senate.
- 18 (4) Two members of the public at large appointed by the Speaker of the
19 House of Representatives.
- 20 (5) Two members of the public at large appointed by the Governor.
- 21 (6) The Commissioner of Agriculture or the Commissioner's designee.
- 22 (7) The Secretary of Commerce or the Secretary's designee.
- 23 (8) The Secretary of Environment and Natural Resources or the
24 Secretary's designee.
- 25 (9) The State Health Director or the Director's designee.
- 26 (10) The Secretary of Transportation or the Secretary's designee.
- 27 (11) The President of Duke Energy or the President's designee.

- 1 (12) The President of Progress Energy or the President's designee.
2 (13) The President of the North Carolina Citizens for Business and Industry
3 or the President's designee.
4 (14) The President of the Manufacturers and Chemical Industry Council of
5 North Carolina or the President's designee.
6 (15) The President of the North Carolina Farm Bureau Federation or the
7 President's designee.
8 (16) The President of the North Carolina Forestry Association or the
9 President's designee.
10 (17) The Chairman of the Board of Directors of the North Carolina Travel
11 and Tourism Coalition or the Chairman's designee.
12 (18) The Southeast Regional Director of the North Carolina Environmental
13 Defense or the Regional Director's designee.
14 (19) The Executive Director of the Southern Alliance for Clean Energy or
15 the Executive Director's designee.
16 (20) The Executive Director of the North Carolina Coastal Federation or
17 the Executive Director's designee.
18 (21) The Executive Director of the North Carolina Conservation Council or
19 the Executive Director's designee.
20 (22) Dr. William H. Schlesinger, Dean, Nicholas School of the
21 Environment and Earth Sciences, Duke University.
22 (23) Dr. Stanley R. Riggs, Distinguished Research Professor, Department
23 of Geology, East Carolina University.
24 (24) Dr. Douglas J. Crawford-Brown, Director, Carolina Environmental
25 Program, University of North Carolina at Chapel Hill.
26 (25) Dr. Howard S. Neufeld, Professor, Department of Biology,
27 Appalachian State University.

28 **SECTION 2.** Cochairs. – The Commission shall have two Cochairs, one
29 designated by the President Pro Tempore of the Senate and one by the Speaker of the
30 House of Representatives from among their respective appointees. The Commission
31 shall meet upon the call of the Cochairs.

32 **SECTION 3.** Quorum. – A quorum of the Commission shall consist of 16
33 members.

34 **SECTION 4.** Vacancies. – Any vacancy on the Commission shall be filled
35 as provided in Section 1 of this act or by the original appointing authority as
36 appropriate.

37 **SECTION 5.** Purpose and Duties. – The Commission shall conduct an
38 in-depth examination of issues related to global climate change. This examination shall
39 include a review of current scientific literature on the possible causes and the likely
40 impacts of global warming with particular emphasis on the extent to which activities in
41 the State may be contributing to global warming, the impacts of global warming on the
42 State, and how best to address those contributions and impacts. The Commission shall
43 recommend a global warming pollutant reduction goal for the State, including a process
44 for periodic adjustment of the goal at intervals of not more than five years, for

1 consideration and possible adoption by the General Assembly. This recommended goal
2 should be consistent with a worldwide goal of stabilizing atmospheric concentrations of
3 carbon dioxide and other global warming pollutants at or below 500 parts per million
4 while protecting the economic development of the State. In establishing the
5 recommended goal, the Commission shall consider global warming pollution reduction
6 goals established under the United Nations Convention on Climate Change and by other
7 states. The Commission shall also recommend a process for developing a State climate
8 action plan, including the desirability of establishing a task force to develop the plan
9 and oversee its implementation. If the Commission recommends the establishment of a
10 task force, the Commission may also make recommendations regarding the composition
11 and work plan of the task force. In developing its recommendations, the Commission
12 shall consider and integrate the findings and recommendations of the study of issues
13 related to the development and implementation of standards and plans to control
14 emissions of carbon dioxide required by Section 13 of S.L. 2002-4.

15 **SECTION 6.** Additional Duties. – The Commission may work cooperatively
16 with other state and national governments to organize a forum on global warming
17 causes, impacts, challenges, and opportunities in the southeastern United States.

18 **SECTION 7.** Expenses of Members. – Members of the Commission shall
19 receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,
20 138-5, or 138-6, as appropriate.

21 **SECTION 8.** Staff. – Upon the prior approval of the Legislative Services
22 Commission, the Legislative Services Officer shall assign professional staff to the
23 Commission to aid its work.

24 **SECTION 9.** Consultants. – The Commission may hire consultants to assist
25 with the study. Before expending any funds for a consultant, the Commission shall
26 report to the Joint Legislative Commission on Governmental Operations on the
27 consultant selected, the work products to be provided by the consultant, and the cost of
28 the contract, including an itemization of the cost components.

29 **SECTION 10.** Report. – The Commission shall report its findings and
30 recommendations to the General Assembly and the Environmental Review Commission
31 on or before 1 April 2006, at which time the Commission shall terminate.

32 **SECTION 11.** Funding. – From funds appropriated to the General
33 Assembly, the Legislative Services Commission shall allocate funds for the purpose of
34 conducting the study provided for in this act.

35 **SECTION 12.** Effective date. – This act is effective when it becomes law.