

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**SENATE BILL 1134
Agriculture/Environment/Natural Resources Committee Substitute Adopted
4/28/05**

Short Title: Global Warming/Climate Change.

(Public)

Sponsors:

Referred to:

March 24, 2005

A BILL TO BE ENTITLED

1
2 AN ACT TO ESTABLISH THE LEGISLATIVE COMMISSION ON GLOBAL
3 CLIMATE CHANGE AND TO DIRECT THE COMMISSION TO STUDY
4 ISSUES RELATED TO GLOBAL WARMING AND THE EMERGING CARBON
5 ECONOMY, TO DETERMINE WHETHER IT IS APPROPRIATE AND
6 DESIRABLE FOR THE STATE TO ESTABLISH A GLOBAL WARMING
7 POLLUTANT REDUCTION GOAL AND, IF THE COMMISSION
8 DETERMINES THAT THE ESTABLISHMENT OF A GOAL IS APPROPRIATE
9 AND DESIRABLE, TO DEVELOP A RECOMMENDED GOAL.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** Commission Established; Membership. – The Legislative
12 Commission on Global Climate Change is hereby established: The Commission shall
13 consist of 29 members as follows:

- 14 (1) Five members of the Senate appointed by the President Pro Tempore
15 of the Senate.
16 (2) Five members of the House of Representatives appointed by the
17 Speaker of the House of Representatives.
18 (3) Three members of the public at large appointed by the President Pro
19 Tempore of the Senate.
20 (4) Three members of the public at large appointed by the Speaker of the
21 House of Representatives.
22 (5) The President of Duke Power or the President's designee.
23 (6) The President of Progress Energy or the President's designee.
24 (7) The President of the North Carolina Citizens for Business and Industry
25 or the President's designee.
26 (8) The President of the Manufacturers and Chemical Industry Council of
27 North Carolina or the President's designee.

- 1 (9) The President of the North Carolina Farm Bureau Federation or the
2 President's designee.
- 3 (10) The President of the North Carolina Forestry Association or the
4 President's designee.
- 5 (11) The Southeast Regional Director of the North Carolina Environmental
6 Defense or the Regional Director's designee.
- 7 (12) The Executive Director of the Southern Alliance for Clean Energy or
8 the Executive Director's designee.
- 9 (13) The Executive Director of the North Carolina Coastal Federation or
10 the Executive Director's designee.
- 11 (14) The Executive Director of the North Carolina Conservation Council or
12 the Executive Director's designee.
- 13 (15) The Dean of the Nicholas School of the Environment and Earth
14 Sciences, Duke University, or the Dean's designee.
- 15 (16) The Dean of the College of Agriculture and Life Sciences at North
16 Carolina State University, or the Dean's designee.
- 17 (17) The Dean of the School of Agriculture and Environmental Sciences at
18 North Carolina Agricultural and Technical State University or the
19 Dean's designee.

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

24 **SECTION 3.** Quorum. – A quorum of the Commission shall consist of 15
25 members.

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

28 **SECTION 5.** Purpose and Duties. – The Commission shall have the
29 following purposes and duties:

- 30 (1) The Commission shall conduct an in-depth examination of issues
31 related to global climate change. This examination shall include all of
32 the following:
 - 33 a. A review of current scientific literature on the possible natural
34 and anthropogenic causes of global climate change.
 - 35 b. A review of actions taken by the federal government and by
36 other states to address global warming.
 - 37 c. An examination of the emissions of greenhouse gases from
38 within the State and the extent to which reductions in the
39 emissions of these gases in the State, region, nation, and
40 worldwide could be expected to affect global climate change.
 - 41 d. An evaluation of the economic opportunities for the State that
42 may result from international, national, and State action to
43 address global climate change and the emerging carbon market.

- 1 e. The potential impacts of global climate change on the citizens,
2 natural resources, and economy of the State, including
3 agriculture, travel and tourism, recreation, coastal real estate,
4 insurance, and other economic sectors.
- 5 f. The costs of any action taken by the State to address global
6 climate change on individuals, individual households, local
7 governments, businesses, educational institutions, agricultural
8 operations, the State government, and other institutions and
9 economic sectors.
- 10 g. The benefits of any action taken by or within the State or other
11 states and at the national or international levels to address
12 global climate change on individuals, individual households,
13 local governments, businesses, educational institutions,
14 agricultural operations, the State government, and other
15 institutions and economic sectors.

16 (2) If, in the course of its examination, the Commission determines that it
17 would be appropriate and desirable for the State to establish a global
18 warming pollutant reduction goal, the Commission may develop a
19 recommended global warming pollutant reduction goal for the State.

20 (3) In conducting its examination of global climate change, the
21 Commission shall consider and integrate the findings and
22 recommendations of the study of issues related to the development and
23 implementation of standards and plans to control emissions of carbon
24 dioxide required by Section 13 of S.L. 2002-4.

25 (4) Based on its examination of global climate change, the Commission
26 shall develop findings and recommendations, including any legislative
27 proposals it determines to be appropriate, for consideration by the
28 General Assembly.

29 **SECTION 6.** Additional Duties. – The Commission may work cooperatively
30 with other state and national governments to organize a forum on global climate change,
31 including its causes, impacts, challenges, and opportunities in the southeastern United
32 States.

33 **SECTION 7.** Expenses of Members. – Members of the Commission shall
34 receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,
35 138-5, or 138-6, as appropriate.

36 **SECTION 8.** Staff. – Upon the prior approval of the Legislative Services
37 Commission, the Legislative Services Officer shall assign professional staff to the
38 Commission to aid in its work.

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

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

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

7 **SECTION 12.** Effective Date. – This act is effective when it becomes law.