

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**SENATE BILL 1134
Agriculture/Environment/Natural Resources Committee Substitute Adopted
4/28/05
Third Edition Engrossed 5/25/05
House Committee Substitute Favorable 6/29/05
Fifth Edition Engrossed 7/7/05**

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 32 members as follows:

- 14 (1) Six members of the Senate appointed by the President Pro Tempore of
15 the Senate.
16 (2) Six 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.

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

24 **SECTION 2.** Cochairs. – The Commission shall have two Cochairs, one
25 senator designated by the President Pro Tempore of the Senate and one representative
26 designated by the Speaker of the House of Representatives from among their respective
27 appointees. The Commission shall meet upon the call of the Cochairs.

28 **SECTION 3.** Quorum. – A quorum of the Commission shall consist of 17
29 members.

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

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

- 35 (1) The Commission shall conduct an in-depth examination of issues
36 related to global climate change. This examination shall include all of
37 the following:
 - 38 a. A review of current scientific literature on the possible natural
39 and anthropogenic causes of global climate change.
 - 40 b. A review of actions taken by the federal government and by
41 other states to address global warming.
 - 42 c. An examination of the emissions of greenhouse gases from
43 within the State and the extent to which reductions in the

- 1 emissions of these gases in the State, region, nation, and
2 worldwide could be expected to affect global climate change.
- 3 d. An evaluation of the economic opportunities for the State that
4 may result from international, national, and State action to
5 address global climate change and the emerging carbon market.
- 6 e. The potential impacts of global climate change on the citizens,
7 natural resources, and economy of the State, including
8 agriculture, travel and tourism, recreation, coastal real estate,
9 insurance, and other economic sectors.
- 10 f. The costs of any action taken by the State to address global
11 climate change on individuals, individual households, local
12 governments, businesses, educational institutions, agricultural
13 operations, the State government, and other institutions and
14 economic sectors.
- 15 g. The benefits of any action taken by or within the State or other
16 states and at the national or international levels to address
17 global climate change on individuals, individual households,
18 local governments, businesses, educational institutions,
19 agricultural operations, the State government, and other
20 institutions and economic sectors.
- 21 (2) If, in the course of its examination, the Commission determines that it
22 would be appropriate and desirable for the State to establish a global
23 warming pollutant reduction goal, the Commission may develop a
24 recommended global warming pollutant reduction goal for the State.
- 25 (3) In conducting its examination of global climate change, the
26 Commission shall consider and integrate the findings and
27 recommendations of the study of issues related to the development and
28 implementation of standards and plans to control emissions of carbon
29 dioxide required by Section 13 of S.L. 2002-4.
- 30 (4) Based on its examination of global climate change, the Commission
31 shall develop findings and recommendations, including any legislative
32 proposals it determines to be appropriate, for consideration by the
33 General Assembly.

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

38 **SECTION 7.** Expenses of Members. – Members of the Commission shall
39 receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,
40 138-5, or 138-6, as appropriate.

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

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

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

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

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