

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

**H**

**2**

**HOUSE BILL 1300  
Committee Substitute Favorable 10/18/01**

Short Title: Study Alternative Energy Sources.

(Public)

Sponsors:

Referred to:

April 12, 2001

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE STUDY COMMISSION ON ALTERNATIVE  
2 ENERGY SOURCES.  
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The Study Commission on Alternative Energy Sources is  
6 created. The Commission shall consist of 26 voting members as follows:

- 7 (1) Three members of the Senate to be appointed by the President Pro  
8 Tempore of the Senate.
- 9 (2) Three members of the House of Representatives to be appointed by the  
10 Speaker of the House of Representatives.
- 11 (3) The Chief Executive Officer of the North Carolina Association of  
12 Electric Cooperatives, Inc., or the Chief Executive Officer's designee.
- 13 (4) The Chief Executive Officer of Duke Energy Corporation or the Chief  
14 Executive Officer's designee.
- 15 (5) The Chief Executive Officer of Progress Energy or the Chief  
16 Executive Officer's designee.
- 17 (6) The Chief Executive Officer of Dominion North Carolina Power or the  
18 Chief Executive Officer's designee.
- 19 (7) Two residential consumers of electricity, one to be appointed by the  
20 President Pro Tempore of the Senate and one to be appointed by the  
21 Speaker of the House of Representatives.
- 22 (8) Two industrial or commercial consumers of electricity, one to be  
23 appointed by the President Pro Tempore of the Senate and one to be  
24 appointed by the Speaker of the House of Representatives.
- 25 (9) Four representatives of the environmental community, two to be  
26 appointed by the President Pro Tempore of the Senate and two to be  
27 appointed by the Speaker of the House of Representatives.

1 (10) Four persons representing agricultural interests, two to be appointed by  
2 the President Pro Tempore of the Senate and two to be appointed by  
3 the Speaker of the House of Representatives.

4 (11) Four persons with expertise in alternative energy sources, two to be  
5 appointed by the President Pro Tempore of the Senate and two to be  
6 appointed by the Speaker of the House of Representatives.

7 The President Pro Tempore of the Senate and the Speaker of the House of  
8 Representatives shall each designate a cochair from the General Assembly membership  
9 serving on the Commission. The Commission shall meet upon the call of the cochairs. A  
10 majority of the Commission shall constitute a quorum for the transaction of business.

11 **SECTION 2.** The Commission shall examine the availability and use of  
12 alternative energy sources in North Carolina, including the use of biomass resources.  
13 The Commission shall gather data and other information as may be necessary to  
14 accomplish the purposes of the Commission and shall work cooperatively with other  
15 boards, commissions, and entities, taking advantage of their resources and activities for  
16 the provision of useful information and insight. In the course of its study, the  
17 Commission may seek input and advice from the Utilities Commission, the Department  
18 of Environment and Natural Resources, the Department of Agriculture and Consumer  
19 Services, the Attorney General, the Public Staff of the Utilities Commission, and the  
20 Energy Policy Council of the Department of Administration. The Commission may  
21 also review alternative energy activities conducted in other states and may solicit the  
22 participation of appropriate federal agencies and foreign governments.

23 In the course of its study and in making its recommendations, the  
24 Commission may consider the following subjects:

25 (1) Methods to encourage the use of alternative energy sources, such as  
26 tax incentives, alternative energy portfolio standards, system benefit  
27 programs, and product offerings to retail electricity customers.

28 (2) Barriers to distribution and market entry for alternative energy  
29 generators.

30 (3) Federal and State regulatory jurisdiction with respect to electric  
31 utilities, including potential conflicts and ways to address those  
32 conflicts.

33 (4) Environmental benefits and impacts associated with alternative energy  
34 generation.

35 (5) Assurance of fairness and equity among all electricity customer classes  
36 and electric power providers.

37 (6) Potential benefits to rural areas of the State and to agricultural  
38 economic development.

39 (7) Sources of funds that could be used to encourage the use of alternative  
40 energy sources.

41 (8) Other relevant and appropriate subjects, as determined by the  
42 Commission.

1           **SECTION 3.** Upon approval of the Legislative Services Commission, the  
2 Legislative Services Officer shall assign professional and clerical staff to assist in the  
3 work of the Commission. Clerical staff shall be furnished to the Commission through  
4 the offices of the House of Representatives and Senate Supervisors of Clerks. The  
5 Commission may meet in the Legislative Building or the Legislative Office Building  
6 upon the approval of the Legislative Services Commission.

7           Members of the Commission shall receive per diem, subsistence, and travel  
8 allowances as follows:

9           (1) Commission members who are members of the General Assembly at  
10 the rate established in G.S. 120-3.1.

11           (2) Commission members who are officials or employees of the State or of  
12 local government agencies at the rate established in G.S. 138-6.

13           (3) All other Commission members at the rate established in G.S. 138-5.

14           **SECTION 4.** The Commission may report its findings and  
15 recommendations, if any, to the 2002 Regular Session of the 2001 General Assembly.  
16 The Commission shall report its findings and recommendations, if any, to the 2003  
17 General Assembly. Upon filing its report to the 2003 General Assembly, the  
18 Commission shall terminate.

19           **SECTION 5.** Of the funds appropriated to the General Assembly, the  
20 Legislative Services Commission may allocate up to twenty-five thousand dollars  
21 (\$25,000) for the 2001-2002 fiscal year and up to twenty-five thousand dollars  
22 (\$25,000) for the 2002-2003 fiscal year for the expenses of the Commission.

23           **SECTION 6.** This act is effective when it becomes law.