

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 308

Agriculture/Environment/Natural Resources Committee Substitute Adopted 3/15/11

Short Title: State Regulation of Greenhouse Gas Emissions.

(Public)

Sponsors:

Referred to:

March 10, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT STATE AGENCIES FROM ADOPTING, IMPLEMENTING, OR
3 ENFORCING A RULE THAT REGULATES GREENHOUSE GAS EMISSIONS OR
4 LIMITS HUMAN ACTIVITY FOR THE PURPOSE OF REDUCING GREENHOUSE
5 GAS EMISSIONS IF THE RULE IS NOT REQUIRED BY A FEDERAL LAW OR
6 REGULATION OR IS MORE STRINGENT THAN A CORRESPONDING FEDERAL
7 REGULATION OR LAW.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 143-215.107 reads as rewritten:

10 "§ 143-215.107. Air quality standards and ~~classifications~~classifications; limit on
11 regulation of greenhouse gases.

12 ...
13 (h) Notwithstanding any other provision of law, no agency, as defined in G.S. 150B-2,
14 may adopt, implement, or enforce a rule that regulates greenhouse gas emissions or that limits
15 human activity for the purpose of reducing greenhouse gas emissions if the rule is not required
16 by a federal regulation or law or is more stringent than a corresponding federal regulation or
17 law. As used in this subsection, "greenhouse gas" means carbon dioxide, methane, nitrous
18 oxide, and fluorinated gases, including chlorofluorocarbons, perfluorocarbons, and sulfur
19 hexafluoride. As used in this subsection, "human activity" means energy generation by a public
20 utility, as defined in G.S. 62-3, industrial processes, transportation, agricultural production,
21 waste treatment and disposal, fossil fuel extraction activities, and any other residential,
22 commercial, or other activities involving the burning of fossil fuels."

23 SECTION 2. This act is effective when it becomes law.

