

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 1007**

**Agriculture/Environment/Natural Resources Committee Substitute Adopted 9/4/01**

Short Title: Study Alternative Energy Sources.

(Public)

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Sponsors:

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Referred to:

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April 5, 2001

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE STUDY COMMISSION ON ALTERNATIVE  
2 ENERGY SOURCES.  
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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 20 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  
18 the 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) Two representatives of the environmental community, one to be  
26 appointed by the President Pro Tempore of the Senate and one 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 The President Pro Tempore of the Senate and the Speaker of the House of  
5 Representatives shall each designate a cochair from the General Assembly membership  
6 serving on the Commission. The Commission shall meet upon the call of the cochairs. A  
7 majority of the Commission shall constitute a quorum for the transaction of business.

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

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

- 21 (1) Methods to encourage the use of alternative energy sources, such as  
22 tax incentives, alternative energy portfolio standards, system benefit  
23 programs, and product offerings to retail electricity customers.  
24 (2) Barriers to distribution and market entry for alternative energy  
25 generators.  
26 (3) Federal and State regulatory jurisdiction with respect to electric  
27 utilities, including potential conflicts and ways to address those  
28 conflicts.  
29 (4) Environmental benefits and impacts associated with alternative energy  
30 generation.  
31 (5) Assurance of fairness and equity among all electricity customer classes  
32 and electric power providers.  
33 (6) Potential benefits to rural areas of the State and to agricultural  
34 economic development.  
35 (7) Other relevant and appropriate subjects, as determined by the  
36 Commission.

37 **SECTION 3.** Upon approval of the Legislative Services Commission, the  
38 Legislative Services Officer shall assign professional and clerical staff to assist in the  
39 work of the Commission. Clerical staff shall be furnished to the Commission through  
40 the offices of the House of Representatives and Senate Supervisors of Clerks. The  
41 Commission may meet in the Legislative Building or the Legislative Office Building  
42 upon the approval of the Legislative Services Commission.

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

- 3           (1)   Commission members who are members of the General Assembly at  
4           the rate established in G.S. 120-3.1.  
5           (2)   Commission members who are officials or employees of the State or of  
6           local government agencies at the rate established in G.S. 138-6.  
7           (3)   All other Commission members at the rate established in G.S. 138-5.

8           **SECTION 4.**   The Commission may report its findings and  
9 recommendations, if any, to the 2002 Regular Session of the 2001 General Assembly.  
10 The Commission shall report its findings and recommendations, if any, to the 2003  
11 General Assembly. Upon filing its report to the 2003 General Assembly, the  
12 Commission shall terminate.

13           **SECTION 5.**   Of the funds appropriated to the General Assembly, the  
14 Legislative Services Commission may allocate up to twenty-five thousand dollars  
15 (\$25,000) for the 2001-2002 fiscal year and up to twenty-five thousand dollars  
16 (\$25,000) for the 2002-2003 fiscal year for the expenses of the Commission.

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