

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 499  
HOUSE BILL 258

AN ACT TO PROVIDE FOR THE CONTINUATION OF THE UTILITY REVIEW  
COMMITTEE AS THE JOINT LEGISLATIVE UTILITY REVIEW  
COMMITTEE.

Whereas, the North Carolina General Assembly originally established the Utility Review Committee in 1975, for an initial term of five years, to evaluate the actions of the North Carolina Utilities Commission and analyze the operations of the several utility companies doing business in North Carolina and to make periodic reports and recommendations to the General Assembly; and Whereas, in 1979 the General Assembly authorized the Utility Review Committee to continue its work for an additional five-year period, until June 30, 1985; and Whereas, during the past 10 years the Utility Review Committee has faithfully discharged the duties assigned to it; and Whereas, the complex nature of utility regulation makes it difficult for the members of the General Assembly to exercise responsible judgment unless adequately informed in such complex areas as the regulation and operation of public utilities, the relationship of State and federal law and regulation, and other complex issues related to ensuring adequate supplies of energy and other utility services to the individual and corporate citizens of the State at reasonable cost; and Whereas, the Utility Review Committee can continue to serve to inform the members of the General Assembly on the regulation and operation of public utilities and other complex matters related to utility service in the State; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 120 of the General Statutes is amended by adding a new Article to read as follows:

"Article 12A.

"Joint Legislative Utility Review Committee.

"§ 120-70.1. **Committee established.**—There is hereby established a permanent committee of the General Assembly to be known as the Joint Legislative Utility Review Committee, hereinafter called the Joint Committee, which shall exercise the powers and fulfill the duties described in this Article.

"§ 120-70.2. **Appointment of members and organization.**—The Joint Committee shall consist of six sitting members of the General Assembly. Three shall be appointed by the President of the Senate from the membership of the Senate and three shall be appointed by the Speaker of the House of Representatives from the membership of the House. Members will serve at the pleasure of their appointing officer and any vacancies

occurring on the Joint Committee shall be filled by the presiding officer of the appropriate house. The initial membership of the Joint Committee shall consist of the membership of the Utility Review Committee on the effective date of this Article. A Senate cochairman and a House cochairman shall be elected by the Joint Committee from among its members. A quorum shall consist of four members.

**"§ 120-70.3. Powers and duties.**—The Joint Committee shall have the following powers and duties:

(1) To evaluate the actions of the North Carolina Utilities Commission, including the review of its interim and final orders, to the end that the members of the General Assembly may better judge whether these actions serve the best interest of the citizens of North Carolina, individual and corporate.

(2) To analyze the operations of the several utility companies doing business in North Carolina, including review of their programs, projects, sources and amounts of income, performance and accomplishments, and determination of whether expenditures were in all cases appropriate and necessary.

(3) To inquire into the role of the North Carolina Utilities Commission, the Public Staff, and the several utility companies in the development of alternate sources of energy.

(4) To inquire into the individual and collective effort of the utility companies to encourage the conservation of energy and thus reduce requirements for additional generating facilities.

(5) To review and evaluate changes in federal law and regulation, or changes brought about by court actions, as well as changes in technology affecting utilities, to determine whether the State's laws require modification as a result of those changes.

(6) To submit evaluations to the General Assembly, from time to time, of the performance of the North Carolina Utilities Commission, the Public Staff, and the various utilities operating in the State. A proposed draft of such evaluations shall be submitted to the North Carolina Utilities Commission, the Public Staff and the affected public utilities prior to submission to the General Assembly and the affected entity shall be given an opportunity to be heard before the Joint Committee prior to the completion of the evaluation and its submission to the General Assembly.

(7) To make reports and recommendations to the General Assembly, from time to time, on matters relating to the powers and duties set out in this section.

(8) To undertake such additional studies or evaluations as may, from time to time, be requested by the President of the Senate, the Speaker of the House of Representatives, the Legislative Research Commission, or either House of the General Assembly.

**"§ 120-70.4. Additional powers.**—The Joint Committee, while in the discharge of official duties, may exercise all the powers provided for under the provisions of G.S. 120-19 and 120-19.1 through 120-19.4. The Joint Committee may meet at any time upon the call of either chairman, whether or not the General Assembly is in session.

**"§ 120-70.5. Compensation and expenses of members.**—Members of the Joint Committee shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1.

**"§ 120-70.6. Joint Committee staffing.**—The Joint Committee shall use clerical and professional employees of the General Assembly for its staff, who shall be made available to the Joint Committee by the Legislative Services Commission. The Joint Committee shall have the power to employ other professional staff, upon the determination of the necessity therefor by the Joint Committee; provided, however, that sufficient funds for such outside staff are available within the Joint Committee's budget. Travel and subsistence allowances for staff and employees of the Joint Committee shall be as fixed by G.S. 138-6 and G.S. 138-7 when such travel is approved by either chairman. Employees of the Joint Committee shall not be subject to the Executive Budget Act or to the State Personnel Act. Suitable office and meeting space, and appropriate equipment, shall be assigned to the Joint Committee by the Legislative Services Commission."

Sec. 2. Any unexpended funds budgeted to the Utility Review Committee may be expended by the Joint Legislative Utility Review Committee.

Sec. 3. Resolution 78, 1979 Session Laws and Section 61, Chapter 1127, 1981 Session Laws, are repealed.

Sec. 4. G.S. 62-15(a) is amended by inserting the words "Joint Legislative" before the words "Utility Review Committee".

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1985.