

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS55233-MD-76 (3/3)

Short Title: Fuel Rationing Authority for Governor.

(Public)

Sponsors: Senator McKissick.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE GOVERNOR TO IMPOSE FUEL RATIONING
3 MEASURES DURING A STATE OF DISASTER, A LOCAL STATE OF EMERGENCY,
4 OR AN ABNORMAL MARKET DISRUPTION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 166A of the General Statutes is amended by adding a new
7 section to read:

8 "**§ 166A-6.03. Fuel rationing authority.**

9 (a) In addition to any other powers conferred on the Governor by law, during a
10 triggering event, the Governor shall have the power to establish a system of rationing, price
11 freezing, or other controls over fuel. These measures may extend to all parties in the chain of
12 distribution, including a supplier, wholesaler, distributor, or retail seller of fuel. This authority
13 shall include the power to administer and enforce a similar federal order or regulation.

14 (b) As used in this section, the term 'triggering event' means any of the following:

15 (1) The declaration of a state of emergency pursuant to G.S. 166A-8 or Article
16 36A of Chapter 14 of the General Statutes.

17 (2) The proclamation of a state of disaster pursuant to G.S. 166A-6.

18 (3) The finding of an abnormal market disruption, as that term is defined in
19 G.S. 75-38(e), with respect to fuel."

20 **SECTION 2.** G.S. 166A-6(c) reads as rewritten:

21 "(c) In addition, during a state of disaster, with the concurrence of the Council of State,
22 the Governor has the following powers:

23 ...

24 (2) To establish a system of economic controls over all resources, materials and
25 services to include food, clothing, shelter, ~~fuel~~, rents and wages, including
26 the administration and enforcement of any rationing, price freezing or
27 similar federal order or regulation;

28"

29 **SECTION 3.** This act is effective when it becomes law.

