

**Introduced by Senator Huff**

**(Coauthors: Senators Cogdill, Denham, Dutton, Harman,  
Hollingsworth, and Runner)**

(Coauthors: Assembly Members Gilmore, Jeffries, Knight, Silva, and  
Smyth)

February 18, 2010

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An act to amend Section 25213 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1198, as introduced, Huff. Energy: State Energy Resources Conservation and Development Commission: regulations.

The Warren-Alquist State Energy Resources Conservation and Development Act requires the State Energy Resources Conservation and Development Commission to adopt those regulations that are necessary to carry out the act.

This bill would require the commission to submit a regulation that is adopted by the commission and which is not implemented on or before January 1, 2011, to the Legislature before the regulation may be implemented. The bill would authorize the commission to implement the regulation only if both houses of the Legislature approve the regulation by a majority vote.

The bill would prohibit a regulation that is adopted, but not implemented, on or before January 1, 2011, from being implemented until the state's unemployment rate remains below 5.1% for 3 consecutive months. A subsequent rise in the unemployment rate after that consecutive 3-month period would not prevent the commission from implementing new regulations.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 25213 of the Public Resources Code is  
2 amended to read:  
3 25213. (a) The commission shall adopt rules and regulations,  
4 as necessary, to carry out the provisions of this division in  
5 conformity with the provisions of Chapter 3.5 (commencing with  
6 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
7 Code. The commission shall make available to ~~any~~ a person upon  
8 request copies of proposed regulations, together with summaries  
9 of reasons supporting their adoption.  
10 (b) *Notwithstanding subdivision (a), a regulation that is adopted*  
11 *by the commission and which is not implemented on or before*  
12 *January 1, 2011, shall not be implemented until the commission*  
13 *submits the regulation to the Legislature and both houses of the*  
14 *Legislature approve the regulation by a majority vote.*  
15 (c) *Notwithstanding subdivisions (a) and (b), a regulation of*  
16 *the commission that is adopted, but not implemented, on or before*  
17 *January 1, 2011, shall not be implemented until the state's*  
18 *unemployment rate remains below 5.1 percent for three consecutive*  
19 *months. A subsequent rise in the unemployment rate after that*  
20 *consecutive three-month period shall not prevent the commission*  
21 *from implementing new regulations.*