

AMENDED IN SENATE AUGUST 24, 2012
AMENDED IN SENATE SEPTEMBER 2, 2011
AMENDED IN SENATE JULY 13, 2011
AMENDED IN ASSEMBLY MAY 5, 2011
AMENDED IN ASSEMBLY MARCH 31, 2011
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1235

Introduced by Assembly Member Roger Hernández

February 18, 2011

An act to add ~~Section 33459.7~~ *Sections 384.5 and 399.5* to the ~~Health and Safety~~ *Public Utilities Code*, relating to ~~redevelopment, and declaring the urgency thereof, to take effect immediately~~ *energy*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1235, as amended, Roger Hernández. ~~Polanco Redevelopment Act: transfer of authority, powers, obligations.~~ *Energy: energy efficiency.*

Under the Public Utilities Act (the act), the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations. The act requires the commission to review and adopt a procurement plan for each electrical corporation in accordance with specified elements, incentive mechanisms, and objectives. The act requires that an electrical corporation's proposed procurement plan include certain elements, including a showing that the electrical corporation will first meet its unmet needs through all available energy efficiency and demand reduction resources that are cost effective, reliable, and feasible. Existing law requires the PUC, in

consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective electricity efficiency savings and establish efficiency targets. A violation of the act is a crime.

This bill would require an electrical corporation, as defined, as part of the above-described energy efficiency targets, to replace with high-efficiency light bulbs up to 100 low-efficiency light bulbs in any street light poles, as defined, that the electrical corporation owns, at the same rate as the city, county, or city and county in which any of the electrical corporation's street light poles are located. This bill would state the intent of the Legislature that this program be funded through existing collection mechanisms, and that the implementation of this program not result in an increase in any amount collected.

This bill would also require an electrical corporation, for purposes of the state's investment in cost-effective energy efficiency programs and energy efficiency targets, to post on its Internet Web site specified information related to the electrical corporation's energy efficiency programs, including a description of the programs and their costs and benefits, the sources of funding, expenditures and investments, and eligibility information.

By placing new requirements on electrical corporations, this bill would expand the definition of a crime and therefore create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~The Polanco Redevelopment Act specifies, among other things, that a redevelopment agency that undertakes and completes an action, or causes another person to undertake and complete an action, to remedy or remove a hazardous substance release on, under, or from property within a redevelopment project, in accordance with a cleanup or remedial action plan prepared by a qualified independent contractor and approved by the department or a California regional water quality control board or a local agency, is not liable, with respect to that release only, under the Porter-Cologne Water Quality Control Act, and specified hazardous waste control and storage provisions, or any other state or~~

local law providing liability for remedial or removal actions for releases of hazardous substances.

~~This bill would apply all authority, rights, powers, duties, and obligations, and protections afforded to a redevelopment agency under the Polanco Redevelopment Act to a successor agency, as defined, for any property that was within a redevelopment project of a redevelopment agency that has been dissolved by an act of the Legislature.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section 384.5 is added to the Public Utilities
2 Code, to read:

3 384.5. (a) *It is the intent of the Legislature that the program*
4 *created by this section be funded through existing collection*
5 *mechanisms for the purposes of achieving cost-effective electricity*
6 *savings and establishing energy efficiency targets, and that the*
7 *implementation of this program not result in an increase in any*
8 *amount collected for these purposes.*

9 (b) *As part of the energy efficiency targets created pursuant to*
10 *Section 454.55, an electrical corporation shall, for street light*
11 *poles the electrical corporation owns, implement a program*
12 *targeting the replacement of low-efficiency light bulbs with*
13 *high-efficiency light bulbs.*

14 (c) *For any street light poles owned by an electrical corporation,*
15 *the electrical corporation shall install high-efficiency light bulbs*
16 *in those street light poles at the same rate that the city, county, or*
17 *city and county in which those street light poles are located has*
18 *installed high-efficiency light bulbs.*

19 (d) *An electrical corporation shall not be required to replace*
20 *more than 100 energy efficient light bulbs on street light posts*
21 *pursuant to subdivision (c), even if the city or county has installed*
22 *energy efficient light bulbs in excess of that quantity.*

23 (e) *For the purposes of this section, the following terms have*
24 *the following meanings:*

1 (1) “*Electrical corporation*” means an electrical corporation,
2 as defined in Section 218, with at least 100,000 service connections
3 in California.

4 (2) “*Street light pole*” means a pole, arm, or fixture used
5 primarily for street, pedestrian, or security lighting.

6 SEC. 2. Section 399.5 is added to the Public Utilities Code, to
7 read:

8 399.5. (a) For purposes of the state’s investment in
9 cost-effective energy efficiency programs and energy efficiency
10 targets, an electrical corporation with over 100,000 service
11 connections in California shall post on its Internet Web site all of
12 the following information:

13 (1) A general description of the electrical corporation’s energy
14 efficiency programs and demand reduction programs available in
15 their service area.

16 (2) The methodology by which energy efficiency projects are
17 determined to be cost effective.

18 (3) Consumer information to assist customers in understanding
19 the costs and benefits of energy efficiency measures and financing
20 options.

21 (4) Sources of funding for investments in energy efficiency
22 programs and demand reduction investments.

23 (5) The total budget for energy efficiency programs demand
24 reduction investments during the then current fiscal year, including
25 the amount of nonencumbered available funds.

26 (6) A summary of expenditures for energy efficiency programs
27 made in the then current fiscal year, including any investments
28 pursuant to those programs that the electrical corporation has
29 awarded to a city, county, third-party organization, or community
30 organization, the name of the city, county, third-party organization,
31 and community organization, along with the city of location for
32 the third-party organization and community organization.

33 (7) Eligibility criteria, contact information for applying for
34 funds, and application deadlines.

35 (b) The information required by subdivision (a) may be made
36 accessible through a uniform resource locator connection on an
37 Internet Web site, and shall be updated at least twice annually.

38 SEC. 3. No reimbursement is required by this act pursuant to
39 Section 6 of Article XIII B of the California Constitution because
40 the only costs that may be incurred by a local agency or school

1 *district will be incurred because this act creates a new crime or*
2 *infraction, eliminates a crime or infraction, or changes the penalty*
3 *for a crime or infraction, within the meaning of Section 17556 of*
4 *the Government Code, or changes the definition of a crime within*
5 *the meaning of Section 6 of Article XIII B of the California*
6 *Constitution.*

7 SECTION 1. Section 33459.7 is added to the Health and Safety
8 Code, to read:

9 33459.7. (a) If a redevelopment agency has been dissolved by
10 an act of the Legislature and its successor agency maintains all the
11 authority, rights, powers, duties, and obligations that were vested
12 by this part in the redevelopment agency prior to its dissolution,
13 then all authority, rights, powers, duties, obligations, and
14 protections that applied to a redevelopment agency pursuant to
15 this article shall also apply to the successor agency for any property
16 that was within a redevelopment project of the redevelopment
17 agency prior to its dissolution.

18 (b) For purposes of this section, "successor agency" means the
19 city, county, or city and county that authorized the creation of each
20 redevelopment agency.

21 SEC. 2. This act is an urgency statute necessary for the
22 immediate preservation of the public peace, health, or safety within
23 the meaning of Article IV of the Constitution and shall go into
24 immediate effect. The facts constituting the necessity are:

25 In order to conform to recently enacted legislation, it is necessary
26 that this act take immediate effect.