

AMENDED IN ASSEMBLY APRIL 9, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1650

Introduced by Assembly Member Portantino

February 13, 2012

An act to add Section 769 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1650, as amended, Portantino. Public utilities: emergency and disaster preparedness.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations ~~and gas corporations~~.

Existing law, the California Emergency Services Act, permits local governments to create disaster councils by ordinance, and to develop plans for meeting any condition constituting a local emergency or state of emergency, as specified.

This bill would require the Public Utilities Commission to establish standards for disaster and emergency preparedness plans, as specified. The bill would require an electrical corporation, as defined, ~~and a gas corporation, as defined,~~ to develop, adopt, and update an emergency and disaster preparedness plan, as specified. The bill would ~~require~~ *impose a state-mandated local program by requiring* an electrical corporation ~~or gas corporation~~, in developing, adopting, and updating its emergency and disaster preparedness plan, to meet with, and consult, cities and counties within that corporation's service area, as specified.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 769 is added to the Public Utilities Code,
2 to read:

3 769. (a) The Public Utilities Commission shall establish
4 standards for disaster and emergency preparedness plans, including,
5 but not limited to, use of weather reports to preposition manpower
6 and equipment before anticipated severe weather, methods of
7 improving communications between government agencies and the
8 public, and methods of working to control and mitigate an
9 emergency or disaster and its aftereffects.

10 (b) An electrical corporation ~~or a gas corporation~~ providing
11 service in California shall develop, adopt, and update an emergency
12 and disaster preparedness plan in compliance with the standards
13 established by the Public Utilities Commission in subdivision (a).

14 (1) In developing and adopting an emergency and disaster
15 preparedness plan, an electrical corporation ~~or a gas corporation~~
16 providing service in California shall meet with, and consult,
17 appropriate representatives of every county and city within that
18 corporation’s service area in California.

19 (2) For the purposes of best preparing an electrical ~~or gas~~
20 corporation for future emergencies or disasters, an emergency and
21 disaster preparedness plan shall address recent emergencies and
22 disasters associated with the electrical ~~or gas~~ corporation or
23 similarly situated corporations, and shall address remedial actions
24 for possible emergencies or disasters that may involve that
25 corporation’s provision of service.

26 (3) Every two years, in order to update and improve that
27 corporation’s emergency and disaster preparedness plan, an
28 electrical corporation ~~or a gas corporation~~ providing service in

1 California shall meet with, and consult, appropriate representatives
2 of every county and city within that corporation’s service area.

3 (4) For the purposes of best preparing an ~~electrical or gas~~
4 corporation for future emergencies or disasters, a corporation
5 updating its emergency and disaster preparedness plan shall review
6 the disasters and emergencies that have affected similarly situated
7 ~~electrical or gas~~ corporations since the adoption of the plan,
8 remedial actions taken during those emergencies or disasters, and
9 proposed changes to the plan. The corporation shall adopt in its
10 plan the changes that will best ensure the corporation is reasonably
11 prepared to deal with a disaster or emergency.

12 (c) A meeting pursuant to subdivision (b) shall be noticed and
13 shall be conducted in a public meeting that allows for the
14 participation of appropriate representatives of counties and cities
15 within the ~~electrical or gas~~ corporation’s service area.

16 (1) A county participating in a meeting pursuant to subdivision
17 (b) shall inform each city within the county of the time and place
18 of the meeting.

19 (2) An ~~electrical or gas~~ corporation holding a meeting pursuant
20 to subdivision (b) shall provide participating counties and cities
21 with the opportunity to provide written and verbal input into the
22 corporation’s emergency and disaster preparedness plan.

23 (3) ~~A gas corporation or~~ An electrical corporation shall notify
24 the Public Utilities Commission of the date, time, and location of
25 a meeting pursuant subdivision (b).

26 (d) ~~A gas corporation or~~ An electrical corporation shall conduct
27 a meeting pursuant to subdivision (b) within three months of the
28 of this section, and every two years thereafter.

29 (e) ~~A gas corporation or~~ An electrical corporation shall
30 memorialize a meeting pursuant to subdivision (b), and shall submit
31 its records of the meeting to the Public Utilities Commission.

32 SEC. 2. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.

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