

AMENDED IN SENATE AUGUST 5, 2002

AMENDED IN SENATE JUNE 19, 2002

AMENDED IN SENATE SEPTEMBER 5, 2001

AMENDED IN SENATE JULY 9, 2001

AMENDED IN ASSEMBLY APRIL 17, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1235

Introduced by Assembly Member Leslie

February 23, 2001

An act to add Section 377.1 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1235, as amended, Leslie. Generation facilities: sale or transfer.

Under existing law, the Public Utilities Act, the Public Utilities Commission is granted jurisdiction over certain facilities for the generation of electricity owned by any public utility. The act prohibits any public utility from disposing of a facility for the generation of electricity prior to January 1, 2006.

This bill would exempt the 4 run-of-river hydroelectric project works located on the Truckee River from these provisions, ~~and would exempt any facility for the generation of electricity located outside the state from the provision that prohibits disposition of those facilities until January 1, 2006.~~

The bill would declare that, due to the unique circumstances of the 4 run-of-river hydroelectric project works located on the Truckee River, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.

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 377.1 is added to the Public Utilities
2 Code, to read:
3 377.1. ~~(a) Section 377 does not apply to the four run-of-river~~
4 ~~hydroelectric project works located on the Truckee River, as~~
5 ~~referenced in Section 210(b)(17) of Public Law 101-618.~~
6 ~~(b) The prohibition on the disposal of a facility for the~~
7 ~~generating of electricity owned by a public utility prior to January~~
8 ~~1, 2006, pursuant to Section 377 does not apply to the transfer or~~
9 ~~sale of a facility for the generation of electricity located outside of~~
10 ~~the state and owned by a company whose primary place of business~~
11 ~~is outside of the state.~~
12 SEC. 2. The Legislature finds and declares that, because of the
13 unique circumstances applicable only to the four run-of-river
14 hydroelectric project works located on the Truckee River, a statute
15 of general applicability cannot be enacted within the meaning of
16 subdivision (b) of Section 16 of Article IV of the California
17 Constitution. Therefore, this special statute is necessary.

