

Introduced by Senator Hueso

February 12, 2016

An act to amend Sections 910.4 and 910.5 of the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

SB 1035, as introduced, Hueso. Public Utilities Commission: reports.

The California Constitution establishes the Public Utilities Commission, with jurisdiction over all public utilities. The California Constitution grants the commission certain general powers over all public utilities, subject to control by the Legislature, and authorizes the Legislature to confer additional authority and jurisdiction upon the commission that is cognate and germane to the regulation of public utilities.

Existing law requires the commission, by January 10 of each year, to report to the Joint Legislative Budget Committee and appropriate fiscal and policy committees of the Legislature on all sources and amounts of funding and actual and proposed expenditures related to specified entities or programs established by the commission and related to interactions by the commission, its officers, or its staff with the California Public Utilities Commission Foundation.

This bill would instead require that the commission report the above-described information by February 1 of each year.

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

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

SECTION 1. Section 910.4 of the Public Utilities Code is amended to read:

910.4. By ~~January 10~~ *February 1* of each year, the commission shall report to the Joint Legislative Budget Committee and appropriate fiscal and policy committees of the Legislature, on all sources and amounts of funding and actual and proposed expenditures, both in the two prior fiscal years and for the proposed fiscal year, including any costs to ratepayers, related to both of the following:

(a) Entities or programs established by the commission by order, decision, motion, settlement, or other action, including, but not limited to, the California Clean Energy Fund, the California Emerging Technology Fund, and the Pacific Forest and Watershed Lands Stewardship Council. The report shall contain descriptions of relevant issues, including, but not limited to, all of the following:

(1) Any governance structure established for an entity or program.

(2) Any staff or employees hired by or for the entity or program and their salaries and expenses.

(3) Any staff or employees transferred or loaned internally or interdepartmentally for the entity or program and their salaries and expenses.

(4) Any contracts entered into by the entity or program, the funding sources for those contracts, and the legislative authority under which the commission entered into the contract.

(5) The public process and oversight governing the entity or program's activities.

(b) Entities or programs established by the commission, other than those expressly authorized by statute, under the following sections:

(1) Section 379.6.

(2) Section 399.8.

(3) Section 739.1.

(4) Section 2790.

(5) Section 2851.

SEC. 2. Section 910.5 of the Public Utilities Code is amended to read:

1 910.5. (a) By ~~January 10~~ *February 1* of each year, the
2 commission shall report to the Joint Legislative Budget Committee
3 and appropriate fiscal and policy committees of the Legislature,
4 on all sources and amounts of funding and actual and proposed
5 expenditures, both in the two prior fiscal years and for the proposed
6 fiscal year, including any costs to ratepayers, related to interactions
7 by the commission, its officers, or its staff with the California
8 Public Utilities Commission Foundation, or any derivative, or
9 successor, or with any agent or director of the foundation, including
10 all of the following:

11 (1) Attendance at meetings, conferences, or events organized
12 or sponsored by the foundation.

13 (2) Any contract or other agreement between the commission,
14 its officers, or its staff and the foundation, including agreements
15 relating to attendance at any educational or training conference or
16 event.

17 (3) Any agenda item, order, decision, resolution, or motion,
18 referencing the foundation.

19 (4) Endorsements of the foundation or its activities.

20 (5) Any contribution made to the foundation at the behest of a
21 member of the commission, its officers, or its staff, and any direct
22 or indirect contribution made to the foundation by a member of
23 the commission, its officers, or its staff. For purposes of this
24 paragraph, “contribution” means any payment, a forgiveness of a
25 loan, a payment of a loan by a third party, or an enforceable
26 promise to make a payment, except to the extent that full and
27 adequate consideration is received.

28 (b) (1) Within eight weeks of any contribution to the foundation
29 made at the behest of a member of the commission, its officers,
30 or its staff, the commission shall report the contribution to the Joint
31 Legislative Budget Committee and appropriate fiscal and policy
32 committees of the Legislature, and include any documents
33 pertaining to the contribution.

34 (2) Each report shall include certification from the commission
35 that the contribution does not violate the Conflict of Interest Code
36 and Statement of Incompatible Activities adopted pursuant to
37 Section 303.